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LEGISLATIVE HISTORY

Public Law 96--78th Congress

Chapter 173--1st Session

H. R. 2409

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DIGEST OF PUBLIC LAW 96

LEGISLATIVE-JUDICIARY APPROPRIATION ACT, 1944.

Appropriates funds for Botanic Garden, Library of Congress, and Government Printing Office. Under GPO, includes provisions regarding methods of payment for work done for Government agencies, manner of submitting printing and binding estimates, details of employees from GPO, and discontinuance of the printing of annual and other reports.

Summary and Index of History on H. R. 2409.

March 10, 1943	Hearings: House, H. R. 2409.
April 6, 1943	House Committee on Appropriations reported H. R. 2409 and H. Rept. 346. Print of bill as reported.
April 8, 1943	Debated in House and passed with amendments.
April 9, 1943	Referred to Senate Committee on Appropriations. Print of bill as referred to Committee.
May 5, 1943	Hearings: Senate, H. R. 2409.
May 12, 1943	Senate Committee reported with amendments. S. Rept. 222. Print of bill as reported.
May 17, 1943	Debated and passed Senate with amendments. Senate requests a conference and appointed Senate Conferees. Print of bill with Senate amendments numbered.
June 10, 1943	House Conferees appointed.
June 17, 1943	House received Conference Report. H. Rept. 563.
June 22, 1943	House agreed to Conference Rept. and acted on amendments in disagreement.
June 23, 1943	Senate agreed to Conference Report.
June 28, 1943	Approved. Public Law 96.



THE JUDICIARY APPROPRIATION BILL FOR 1944

LEGISLATIVE
Office of Budget and Finance
HEARINGS

BEFORE THE
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH CONGRESS

FIRST SESSION

ON

THE JUDICIARY
APPROPRIATION BILL FOR 1944

Printed for the use of the Committee on Appropriations



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1943

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THE JUDICIARY APPROPRIATION BILL 1944

HEARINGS CONDUCTED BY THE SUBCOMMITTEE EMMET O'NEAL (CHAIRMAN), JOE HENDRICKS, ALBERT GORE MICHAEL J. KIRWAN, D. LANE POWERS, NOBLE J. JOHNSON, WALTER C. PLOESER, AND H. CARL ANDERSEN (SERVING TEMPORARILY), OF THE COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, IN CHARGE OF THE LEGISLATIVE-JUDICIARY APPROPRIATION BILL, 1944, ON THE DAYS FOLLOWING:

MONDAY, MARCH 1, 1943.

Mr. O'NEAL. Gentlemen, this is the first meeting of the subcommittee on the legislative-judiciary appropriation bill for 1944. The items for the judiciary were formerly handled by another subcommittee. This is the first time that the legislative subcommittee has been in charge of the appropriations for the Judiciary Department.

I would like to say, as chairman, I am very much delighted with the committee that has been chosen for the examination of the legislative and judiciary justifications, Mr. Hendricks, Mr. Gore, Mr. Kirwan, Mr. Powers, Mr. Johnson, and Mr. Ploeser. I understand Mr. Powers, the ranking member on the Republican side, will not be able to sit with us, due to the fact that he is a member of another subcommittee which will be meeting at the same time that this subcommittee is meeting. We are very happy to have with us Mr. Andersen, who will take the place of Mr. Powers.

Mr. JOHNSON. Mr. Chairman, I think it is worth while to have the record show that the members of the committee are very much pleased to serve under the chairmanship of the gentleman from Kentucky (Mr. O'Neal).

Mr. O'NEAL. It is not necessary to have that made a part of the record.

Also, I want to add that having served with Mr. Harvey, the clerk of the committee, I think we are fortunate in having his assistance in handling this entire job. He has rendered very efficient service with other subcommittees.

Mr. HENDRICKS. Even over the objection of the chairman, I would still say that I am delighted, as I know we all are, to serve with the gentleman from Kentucky as chairman of this subcommittee.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

STATEMENTS OF HENRY P. CHANDLER, DIRECTOR, ADMINISTRATIVE OFFICE OF UNITED STATES COURTS; ACCOMPANIED BY ELMORE WHITEHURST, ASSISTANT DIRECTOR; WILL SHAFROTH, CHIEF, DIVISION OF PROCEDURAL STUDIES AND STATISTICS; ROYAL E. JACKSON, BUDGET AND ACCOUNTING OFFICER; AND JOHN BROWN, ASSISTANT BUDGET AND ACCOUNTING OFFICER

Mr. O'NEAL. Mr. Chandler, this is the first meeting of the subcommittee in charge of the legislative-judiciary appropriation bill for 1944, and as you well know, the judiciary appropriations have not been handled by this committee before, but were in charge of another subcommittee.

We will be glad to hear from you as to what you are asking for this year. Also, we would like to have you state what your position is and what your responsibilities are, for the record.

Mr. CHANDLER. Mr. Chairman and gentlemen of the committee, I am glad to hear you say that, because it seemed to me that before the specific appropriations for the Office were considered, it might be helpful to the committee if I explained in a general way what the functions are of the Administrative Office, and, growing out of that, what the general system of the administration of the United States courts is.

Mr. O'NEAL. We will be glad to have you do that.

FUNCTIONS OF ADMINISTRATIVE OFFICE, UNITED STATES COURTS

Mr. CHANDLER. The Administrative Office of the United States Courts was created by an act approved August 7, 1939 (53 Stat. 1223, title 28 U. S. C., secs. 444-450) which took effect November 6, 1939, and the Office came into existence on that date. The act provides for a Director and an Assistant Director to be appointed by the Supreme Court of the United States and hold office during the pleasure of the Court and be subject to removal by the Court. The Director is authorized to appoint with the approval of the Supreme Court, subject to the civil service laws, such employees as are necessary and to fix their compensation according to the provisions of the Classification Act of 1923 as amended.

The Office has two principal classes of functions: First, the management of the business affairs of all the Federal courts except the Supreme Court of the United States, and, second, the furnishing of a service of statistics and information for the same courts. On the business side the Office authorizes the employment of the necessary supporting personnel of the courts, such as the deputy clerks, the secretaries and law clerks of judges and court librarians and the probation officers and clerks. The appointment of all these officers is in the courts which they serve. The Administrative Office fixes their compensation within the limits of the appropriations and any statutory provisions. The Administrative Office procures for the

courts their necessary quarters and accommodations by arranging for them with the Public Buildings Administration and the Post Office Department, one or the other of which operates the court-houses in which the courts sit. The Office purchases or authorizes the purchase for the courts of supplies and equipment, such as law-books, typewriters and stationery and authorizes contracts for their telephone service. It audits the expenditures of all officers and employees of the courts, subject to the final audit of the General Accounting Office.

The Administrative Office prepares the estimates for the annual appropriations for the courts. The estimates for the United States Court of Customs and Patent Appeals, the United States Customs Court and the Court of Claims are subject to the approval of those courts. The estimates for the salaries and expenses of the United States courts generally are subject to the approval of the Judicial Conference of Senior Circuit Judges, a body consisting of the senior circuit judges who are the presiding judges of the United States courts of appeals for the 10 judicial circuits of the United States, the Chief Justice of the United States Court of Appeals for the District of Columbia, and the Chief Justice of the United States who by virtue of his office is the chairman of the conference. The estimates when approved are submitted to the Bureau of the Budget. The statute provides that they shall be included in the Budget without revision in the same manner as is provided for the estimates of the Supreme Court, but the Bureau of the Budget may make recommendations in reference to the estimates. After the appropriations are made the Administrative Office administers them and authorizes the expenditure of the funds appropriated.

One of the principal reasons for the creation of the Administrative Office was to provide the courts with an agency for procuring and reporting information on the state of their business which they need in order to provide for dispatching it most efficiently. The act specifies as one of the duties of the Director, "examining the state of the dockets of the various courts and securing information as to their needs for assistance, if any, and the preparation of statistical data and reports of the business transacted by the court, and promptly transmitting the information so obtained quarterly to the senior circuit judges of the respective circuits, to the end that proper action may be taken with respect thereto." The act also requires the Director to report annually to the Judicial Conference of Senior Circuit Judges on the state of the business of the courts with appropriate statistical data. The conference acts in the nature of a board of directors for the Federal judicial administration. The Director refers to it all major questions of policy, and it sets the standards by which his action is governed.

The Administrative Office secures the information for its reports in two ways: First, it obtains from the judges, clerks of court, probation officers, and other officers of the courts written information concerning each case filed and terminated concerning the probation work of the courts and concerning other subjects entering into the reports. Second, it supplements the written information by visits of the Chief of the Division of Procedural Studies and Statistics of the Administrative Office, Mr. Will Shafroth, and attorneys, who assist him to the courts. By conferences with the judges and other officers and by

observation on the ground the representatives of the office secure pertinent and valuable information which written reports alone would not disclose. In accordance with the statute the Administrative Office reports the information thus secured quarterly to the senior circuit judges of the circuits and annually to the Judicial Conference of Senior Circuit Judges. Another type of report which the Office prepares and issues annually is the report of bankruptcy statistics required by section 53 of the Bankruptcy Act, that duty which was originally imposed upon the Attorney General having been transferred to the Administrative Office by virtue of the act creating it.

The Administrative Office also is charged with general supervision of the practices of the referees in bankruptcy and the probation officers. These officers are subject to the primary control and direction of the individual courts which they serve. The Administrative Office, however, inquires from time to time into their methods of carrying on their work for the purpose of seeing that laws and regulations are observed; also for the purpose of suggesting from time to time improvements in procedures. Any recommendations of change are made to the judges of the courts under whom the officers function. The judges have shown that they welcome constructive suggestions, and through cooperation between the judges and the Administrative Office the administrative practices in the offices of the courts are being bettered in many directions.

There have been a number of significant developments of this nature in recent years. The equipment and business methods in the clerks' offices are steadily being modernized for the purpose of increasing efficiency. Thus receipt machines are being installed to secure a business-like method of handling collections. Photocopying equipment is being substituted for the laborious method of making typewritten copies of records where the volume is heavy. Judges have been freed from burdensome administrative details such as certifying to the accounts of jurors and witnesses, and the expense accounts of United States attorneys and their assistants, and these duties have been placed by statutes recommended by the Judicial Conference of Senior Circuit Judges in the appropriate administrative officers to whom they properly belong.

Ways and means are being developed intensively to promote the prompt dispatch of the judicial business. The statutory provisions which permit the temporary assignment of judges outside of their circuits are being used to bring about the service for short periods of judges whose full time is not needed in their own districts for service in metropolitan districts in which there is congestion, thus equalizing to some extent the unequal case load among the districts.

There has been a marked increase in the last 5 years in the use of pretrial procedure in the Federal courts, a method by which in advance of trial the judge in conference with the attorneys in the cases, either with or without their clients, inquires into the issues for the purpose of eliminating all frivolous and irrelevant questions, settling all matters of fact which can be agreed upon, and reducing the controversy to the essential elements. This process is promotive of settlements which eliminate many trials altogether, and substantially shortens the time of trial in the cases remaining.

An improvement to which attention is now being given is greater care and resulting economy in the handling of jurors in the Federal courts. It is always difficult for the court to know how many jurors will be needed at a trial term. In order to be assured of enough persons the court must call more than will be actually used. But by studying their experience and estimating as closely as possible the probable need most courts can reduce the proportion of persons who are called for jury service and not used. This is an advantage both to the persons concerned whose time is conserved for their regular business, and to the Government, which is saved from needless expenditure.

There have been recently very gratifying accomplishments in the bankruptcy administration and the probation service of the Federal courts. For years there has been difficulty with the application of the indemnity funds of the referees derived from moneys deposited with them for reimbursement of their expenses of administration. Some referees have been in the habit of appropriating for their personal use as additions to their compensation, balances in the funds above their actual expenditures. This practice which is contrary to the Bankruptcy Act, is in a fair way to be eliminated through the adoption of rules in different districts governing the application of the indemnity funds, and making it plain that these funds are applicable only to the payment of expenses and cannot under any circumstances be added to compensation. Within a year 16 districts have adopted new rules of this nature.

The probation officers of the courts since the outbreak of the war have done much to promote the employment of probationers and paroled prisoners in war industries and the entry of such of them as are suitable (and most of them are) into the armed services. It is estimated that in the fiscal year 1942, 17,500 probationers earned an aggregate of \$17,375,000, without taking account of compensation not paid in money, such as the living of farm laborers. The similar earnings of probationers in the first half of the present fiscal year were \$10,840,000, and if this rate is maintained the earnings for the entire year will exceed \$21,600,000, an increase of nearly 25 percent over 1942.

The work of the Federal courts is affected by the war in many ways, and the activities of the courts have a direct relation to important war policies. Thus private civil cases and bankruptcy cases are going down in number but Government cases, and particularly the categories of such cases resulting from war measures, are going up. There is an extraordinary volume of condemnation cases, nearly all of which are being prosecuted for the acquisition of land by the Government as sites for carrying on war activities. In the fiscal year 1941 there were 1835 such cases. In 1942 this number had more than doubled to 3,964 and in the first half of the present year 2,695 cases were filed, an increase of more than half over the corresponding number in the like period a year ago. The total area involved in condemnation proceedings pending last September was estimated by the Lands Division at around 10,000,000 acres, or 15,600 square miles, which is nearly twice the size of the State of Massachusetts. Approximately 85 percent of this was being acquired for the purposes of national defense.

Criminal cases are going up, but this movement again is due to cases connected with the war. Prosecutions for the usual peacetime

crimes cognizable by the Federal courts, such as violation of the liquor laws and the interstate theft of automobiles, are going down but their places are more than filled by types of crime related to the war. Outstanding among these are violations of the Selective Service Act. There were 3,384 such cases in the fiscal year 1942 and 3,772 in only the first half of the present fiscal year. With every month that passes the attention of the Federal courts is being given more and more to the interpretation of the war measures of the Government and controversies with the prosecution of the war. This condition is bound to increase as long as the war lasts.

Mr. O'NEAL. Thank you very much for that statement. That is very interesting.

PRACTICE OF LAW BY RELATIVES OF JUDGES

Mr. HENDRICKS. I take note of the report of the judicial conference and the resolutions in regard to the practice of law before Federal judges by their relatives, and I would like a copy of that resolution to go in the record.

Mr. CHANDLER. We will be glad to put that resolution in the record. (The resolution referred to, quoted from the printed proceedings of the annual meeting of 1942, is as follows:)

Practice of law before Federal judges by their near relatives.—From time to time complaint has been made of the fact that near relatives of Federal judges have appeared before them as counsel in pending cases. The conference recognized that in many instances this may have involved no impropriety on the part of the judge or of counsel. But in view of the desirability of eliminating all possible occasion for criticism of the practice, the conference adopted the following resolution:

"That it is the sense of the conference that Federal judges should avoid sitting in cases in which their near relatives are of counsel, as contrary to the spirit of Canon XIII of the Canons of Ethics of the American Bar Association, and the conference urges the circuit councils to inquire whether such a practice exists in their respective circuits, and if so to take appropriate action."

Mr. HENDRICKS. Is it possible for the clerk of a court to assign certain work to a relative of himself or the Judge?

Mr. CHANDLER. I would say this, that the conduct of the clerk of a particular court in relation to the business of that court is something that comes under the direct control of the court which appoints him. As an administrative officer I am concerned with the general procedures. I am not seeking, however, to avoid any responsibility that belongs to me, and I will say to you and to the committee that if a report comes to me which if true indicates conduct of questionable propriety on the part of a judge, I bring it to the attention of the senior circuit judge of that circuit.

Mr. HENDRICKS. Which is very proper.

Mr. CHANDLER. And it is for him, with his associates, who constitute the judicial council of that circuit, to consider whether there is a condition that is amiss, and whether something should be done to correct it.

I should say in answer to your question that the Judicial Conference, has clearly indicated that a judge, whether a case was assigned to him or not, should not hear a case in which a near relative is counsel.

FUNCTION OF CLERKS OF COURT IN ASSIGNMENT OF CASES

Mr. HENDRICKS. Mine is a technical question, and someone may be able to help me in regard to the procedure in the case.

To give an example, in our circuit courts in Florida, that is the State courts, if someone is not able to provide his own defense or for some other reason does not have a defense counsel, the court can assign an attorney to represent a defendant.

This is a technical question as to procedure in the Federal courts.

Is it possible in a district court for the clerk of the court to assign certain cases in certain actions to lawyers?

Mr. CHANDLER. That really depends—and this is the best answer I can make—it depends on the rule of the court in reference to the assignment of cases. I know there are district courts in which there is a rule that the cases which are filed shall be assigned in rotation by the clerk. I would say that the clerk's power in that connection depends entirely upon the rules in reference to the assignment of cases in the court which he serves.

Mr. HENDRICKS. In other words, it is not a general rule.

Mr. CHANDLER. I thought you were speaking of the assignment of cases. You were not asking about the assignment of counsel, were you, the appointment of counsel for poor defendants?

Mr. HENDRICKS. That still does not get to the question. I gave a State court as an example. Does the clerk have the right to assign such work to an individual attorney? Is there any work at all which the clerk can assign to an attorney?

Mr. CHANDLER. No, I know of no instance in the Federal court system in which counsel for litigants are appointed by the clerk.

Mr. HENDRICKS. The only way by which a relative of a judge can get a case before that court is through a client?

Mr. CHANDLER. Absolutely.

Mr. HENDRICKS. That is the only way he can possibly do it?

Mr. CHAIRMAN. So far as I know.

Mr. HENDRICKS. That clears that up.

Mr. CHANDLER. I thought you had in mind a situation in which a case might be filed in a court in which there were three or four district judges, one of whom was a relative of counsel in the case, and you desire to know whether the clerk might assign the case to that judge, the general method of assignment would depend entirely on the rule of the particular court. It would be contrary to the principle of the Judicial Conference that the case should be assigned to the judge whose relative was counsel in the case.

Mr. HENDRICKS. Of course, my question was not in regard to the assignment of a judge.

SALARIES OF JUSTICES AND JUDGES, TERRITORY OF HAWAII

Mr. O'NEAL. We will now turn to page 37 of the justifications, page 163 of the bill—salaries of the Chief Justice and two Associate Justices of the Supreme Court of the Territory of Hawaii. We will be glad to hear you on that. The amount is \$103,500 for 1944, the same as was asked for in 1943. I will be glad to have you make

some statement on that item and will insert page 37 of the justification in the record at this point.

Regular appropriation, 1943 act-----	\$103, 500
Supplemental appropriations for 1943-----	
Total appropriations, 1943-----	103, 500
Deduct nonrecurring and other items not required in 1944-----	
Base for 1944-----	103, 500
Increases requested for 1944-----	
Total estimate or appropriation for 1944-----	103, 500

Mr. CHANDLER. You will note from this item that there are two local courts in Hawaii aside from the United States district court, which has the Federal jurisdiction possessed by a district court in any other part of the United States. There are circuit courts in Hawaii and there is a supreme court. Ever since I came to this office, and for many years before, provision has been made for the salaries of the judges of those courts in the item which is before you.

Mr. O'NEAL. I would like to ask you, Mr. Chandler, if the situation in Hawaii has changed, or do you anticipate that there will be any change for the fiscal year 1944 due to the military occupation of Hawaii? Does that affect or change the situation in any way?

Mr. CHANDLER. No, sir; it does not. It does not change the number of judges whose salaries have to be met. The information that comes to me is that more and more latitude is being given to the civil government of Hawaii.

PERSONNEL OF TERRITORIAL COURTS

Mr. O'NEAL. What is the personnel of the Territorial Court of Hawaii?

Mr. CHANDLER. First, there is the United States district court, which is not included in this item. The provision for the salaries of the district judges is contained in the general appropriation for salaries of judges. This appropriation is for the salaries of the judges of other courts in Hawaii.

Mr. O'NEAL. \$5,000 and \$7,500 per annum? Is that correct?

Mr. CHANDLER. The individual salaries are shown on page 38 of the justification.

Mr. O'NEAL. \$10,500 for the chief justice of the supreme court and two associate justices at \$10,000, and in the circuit courts five judges at \$7,500 in the first circuit, one judge in each of the second, third, fourth, and fifth circuits at \$7,000 per annum, and one retired judge at \$7,500 per annum. Those figures total how much, Mr. Whitehurst?

Mr. WHITEHURST. They total \$103,500. \$9,286 is the saving during 1942 from vacancies.

Mr. O'NEAL. In 1943?

Mr. WHITEHURST. In 1942.

VACANCIES

Mr. O'NEAL. The vacancy has been filled?

Mr. CHANLER. Yes, sir.

Mr. O'NEAL. It is a vacancy that has been filled, and you do not know of any other vacancy? It is only by death that a vacancy occurs? Is that correct?

Mr. WHITEHURST. The judges are appointed for 4-year terms under the provisions of title 48, section 633 of the United States Code.

Mr. O'NEAL. The entire amount of \$103,500 goes for the salaries of sitting and retired judges?

Mr. WHITEHURST. That is correct.

DEFERMENT FROM MILITARY SERVICE

Mr. O'NEAL. Do you know of any of your personnel that have been deferred from military service; or do you know whether or not any have been asked for? And that applies to your whole appropriation. Has your department requested any deferment from military service for any of your personnel?

Mr. CHANDLER. Not a one except some times for periods of 3 or 4 weeks.

Mr. O'NEAL. Will you put in a list of those for whom you have asked deferment, and for what periods those deferments have been requested?

Mr. CHANDLER. I will say this, Mr. Chairman, that we have not asked deferment for a day for any member of the staff of the Administrative Office of the United States Courts.

Mr. O'NEAL. That is, any of the personnel for which you are making the justification?

Mr. CHANDLER. I really cannot supply that information for all the courts at this time, Mr. Chairman. You will appreciate that applications for deferment can be made by the courts.

Mr. O'NEAL. Do you know of any that the courts have made?

Mr. CHANDLER. The only deferments that I know of I can count on the fingers of one hand.

Mr. O'NEAL. Will you place that information in the record?

Mr. CHANDLER. Yes, sir. There were 3 or 4 for periods of 30 to 60 days.

Mr. PLOESER. Would it not be well to have Mr. Chandler make inquiry as to that, Mr. Chairman?

Mr. O'NEAL. Mr. Chandler, will you please inquire of those bureaus which have personnel for which you are making the justification, to see if they asked any deferments, and, if so, how many and for what length of time they were requested?

Mr. CHANDLER. Yes, sir.

AMOUNT OF LITIGATION AT PRESENT IN HAWAII

Mr. O'NEAL. What has been the effect on the amount of litigation in Hawaii?

Mr. CHANDLER. So far as the amount of litigation in the district court is concerned, which is the only court that reports to me, un-

doubtedly the litigation is diminishing there, or it has been diminished, because by the terms of the martial law only those cases could be heard by the court in which services of jurors were not necessary and in which it was not necessary to subpoena witnesses.

Mr. O'NEAL. Then would it not follow that we could make some reduction in the appropriation?

Mr. CHANDLER. No, sir; because this appropriation is only for the salaries of the judges, and the courts and the number of judges are prescribed by statute. I have no control whatever over the number of judges.

DISTRICT COURT, PANAMA CANAL ZONE

Mr. O'NEAL. On page 164 of the bill you are eliminating the district court of the Panama Canal zone to the fact that it is consolidated in some other item. Please insert page 39 of the justifications in the record. Would you care to make a statement about that and state whether or not you believe that is a desirable consolidation?

Salaries, district court, Panama Canal Zone:

Regular appropriation, 1943 act-----	\$27, 300
Supplemental appropriations for 1943-----	2, 250
Total appropriations, 1943-----	29, 550
Deduct nonrecurring and other items not required in 1944: Amount of this appropriation consolidated with and apportioned to the appropriations, "Salaries, circuit, district, and retired judges," "Salaries of clerks, United States courts," and "Miscellaneous salaries, United States courts"-----	29, 550
Base for 1944-----	

Increases requested for 1944: _____

Total estimate or appropriation for 1944-----

Mr. CHANDLER. I consider that the elimination of the separate appropriation for the district court for the Isthmus of Panama, C. Z., and the transfer of those expenses to the general appropriations for salaries of judges, salaries of the clerks of the courts, and miscellaneous salaries, is desirable, because this is a very small item in itself. If during the year any contingency arises which necessitates an additional expense, and there is a separate appropriation, we are under the necessity of asking for a deficiency appropriation. There is no more reason for separating the provision for that particular court than there is for separating the provision for any other district court from the appropriations for the district courts generally.

Mr. HENDRICKS. Then it is not really a reduction in this item?

Mr. CHANDLER. No, sir; it is not really a reduction.

Mr. JOHNSON of Indiana. Was all of the sum that you have for the present fiscal year expended?

Mr. CHANDLER. Mr. Jackson, can you answer that question as to the expenditures?

Mr. O'NEAL. What are the expenditures to date?

Mr. WHITEHURST. \$16,221.15 to February 1.

Mr. JOHNSON of Indiana. That is out of a total appropriation of what?

Mr. WHITEHURST. That is out of a total appropriation of \$29,550.

Mr. CHANDLER. I should say that there has been an increase of something like a hundred thousand in the civilian population of the Isthmus of Panama within the last 2 years, to say nothing of the increase in the number of soldiers there. Judge Gardner, who is the judge there, has informed me that the court is very hard pressed.

Mr. O'NEAL. The work load there is increasing?

Mr. CHANDLER. Yes, sir; it is increasing.

Mr. JOHNSON of Indiana. Is the \$13,000 plus which you have left, Mr. Chandler, sufficient to run you through the balance of the fiscal year?

Mr. CHANDLER. We think so, sir.

Mr. JOHNSON of Indiana. And some to be left over?

Mr. CHANDLER. Very little will be left over.

Mr. O'NEAL. You have expended \$16,000 plus in 8 or 9 months, have you not?

Mr. CHANDLER. In 7 months. There are 5 months left. That represents seven-twelfths of the year.

UNITED STATES COURT FOR CHINA

Mr. O'NEAL. United States Court for China. I notice the amount in 1943 was \$26,000 but for 1944 it is \$17,060. As I understand it, the court is inoperative. What is the situation at the present time?

Mr. CHANDLER. As I understand it, the President has recommended that this appropriation be eliminated.

Mr. O'NEAL. In Document No. 114, which I hand you, I believe the President directs that this be eliminated. That will eliminate the item of \$17,060 for this, will it not?

Mr. CHANDLER. Yes, Mr. Chairman. I think that is quite right.

SALARIES OF JUDGES

Mr. O'NEAL. The next item is for salaries of judges and page 43 of the justifications which presents a summary of the items will be inserted at this point. The amount asked for in 1943 for \$3,170,000 and the amount requested for 1944 is \$3,222,500, which is an increase. Will you explain this increase? That is page 43 of the justification.

SALARIES OF CIRCUIT, DISTRICT, AND RETIRED JUDGES

Regular appropriations 1943 act.....	\$3, 170, 000
Supplemental appropriations for 1943.....	
Total appropriations, 1943.....	3, 170, 000
Deduct nonrecurring and other items not required in 1944.....	
Base for 1944.....	3, 170,000
Increases requested for 1944:	
01 District judge, Panama Canal Zone (transferred from appropriation "Salaries, District Court, Panama Canal Zone")...	10, 000
12 Increase in number of retired judges.....	42, 500
Total estimate or appropriation for 1944.....	3, 222, 500

Mr. CHANDLER. This is the principal appropriation, you will note, for the salaries of the Federal judges, the judges of the circuit courts of appeals, the district judges, and the retired judges.

The reason for the increase is the gradual increase of the number of retired judges who are, under the law, entitled to full pay. Of course, judges retiring are counterbalanced to a degree, but not nearly to an equal degree, by judges who die. For instance, Judge Neterer, of the western district of Washington, has been serving actively as a retired judge since 1933. He died just a few weeks ago. But because of the increase in the Federal judiciary in recent years there is each year some increase in the obligation for the services of retired judges.

Mr. O'NEAL. You anticipate, as I understand it, that the increase of \$42,500 is really something that has come by way of age for the retirement of additional judges?

Mr. CHANDLER. I should add to that, too, that since the estimate was made up the Congress has provided for three additional judgeships, an additional circuit judgeship for me Fifth Circuit, an additional district judgeship for the eastern and western districts of Missouri, and an additional district judgeship for the northern district of Alabama. The salaries of those judges will total \$32,500. We are not asking that the committee increase the estimates, but in view of that increase in expense, which is unavoidable and which was not expected, the estimate for 1944, as shown here, may not be sufficient.

Mr. O'NEAL. Have you taken the lapse of time between the vacancy existing in the judgeship and the appointment of a new judge and subtracted that from the amount which you would have to ask for?

Mr. CHANDLER. You see this estimate is for the expense beginning July 1 of next year. I mean beginning this coming July 1.

RETIREMENT OF JUDGE

Mr. O'NEAL. How many judges do you anticipate will be retired who come under this appropriation, and what is the total amount of salaries for those judges?

Mr. CHANDLER. It is very difficult to determine how many judges will retire. But during the fiscal year 1944, 52 United States judges, whose salaries totaled \$563,000 annually will have become eligible for retirement. That number exceeds by seven the number of such judges for the fiscal year 1943, that is, the number who are eligible during the fiscal year.

COMPENSATION OF FEDERAL JUDGES

Mr. PLOESER. What is the annual compensation of each judge?

Mr. CHANDLER. That of district judges is \$10,000; that of circuit judges, \$12,500.

Mr. O'NEAL. You have just estimated that out of that number that \$42,500 will be the amount that you will have to pay as an increase for the number retiring over last year?

Mr. CHANDLER. That is right.

Mr. O'NEAL. But it is just a guess?

Mr. CHANDLER. That is it, exactly.

Mr. HENDRICKS. I believe the Panama Canal judge comes under this. Under this is the transfer of \$10,000 in this consolidation of the Panama Canal Zone item; but the other increase of \$42,500 is just an estimate.

Mr. O'NEAL. Do you recall the comparable figure in your 1943 appropriation for retired judges?

Mr. WHITEHURST. The allotment for retired judges' salaries was increased in 1943 over the allotment for 1942 by \$57,000.

Mr. JACKSON. The allotment for 1943 for retired judges is \$553,500. That is the allotment that we have set up out of a total appropriation of \$3,170,000.

APPOINTMENT AND PAY OF NEW JUDGES

Mr. HENDRICKS. You say that you do not ask the committee for an increase in this appropriation. How will you pay those three additional judges when they are appointed?

Mr. CHANDLER. After we get into the fiscal year 1944 if experience shows that the obligations for salaries are exceeding the amount of the appropriation, then some time before the end of the year we, naturally, shall have to ask for a deficiency appropriation. You appreciate the fact that this item is uncontrollable by us. The judges are entitled to salaries which the statute provides, and we have to pay them. But some time before the money runs out, if it appears that it is going to run out, we will come to Congress and ask for a further appropriation.

Mr. PLOESER. I refer to table 9 of this report.

Mr. CHANDLER. That deals with bankruptcy cases. Bankruptcy cases are going down.

Mr. PLOESER. I noticed that. But I am checking so that I may check the need of one of them for this eastern district of Missouri judge, about which there has been considerable controversy. I notice the table on the first page begins with cases pending July 1, 1942, and in the final column you work out the cases pending December 31, 1942.

Mr. CHANDLER. That is right.

Mr. PLOESER. On the following page the table there starts with July 1, 1942, and ends on the same date.

Mr. CHANDLER. I am sure that that is a mistake.

Mr. Shafroth, on the second page, table 9, the Congressman is right, is he not?

Mr. SHAFROTH. That is merely a clerical error.

Mr. CHANDLER. That should be December 31, 1942.

Mr. JOHNSON of Indiana. The change in text that you propose here will be subject to a point of order, will it?

Mr. WHITEHURST. I would not think so. It is transferring the salary of the district judge for the Panama Canal Zone to this appropriation.

SALARIES OF CLERKS OF COURTS

Mr. O'NEAL. Page 169 of the bill, salaries of clerks of courts. The amount that you ask for in 1944 is \$2,590,280, which is an increase over

1943 of \$111,480. I would like to have you explain this increase, if you will. Please insert page 46 of the justifications in the record at this point.

Regular appropriation 1943 act-----	\$2, 462, 900
Supplemental appropriations for 1943-----	57, 874
Total appropriations, 1943-----	2, 520, 774
Deduct nonrecurring and other items not required in 1944:	
Items of expense transferred to and consolidated with the appropriation "Miscellaneous expenses, United States Courts"-----	50, 800
01 Personal services, temporary (military leave with pay granted during fiscal year 1943)-----	7, 874
Base for 1944-----	2, 462, 100
Increases requested for 1944:	
Additional cost of within-grade promotions made in fiscal year 1943-----	21, 880
Reclassifications with resulting increases in salary-----	63, 000
01 Personal services, permanent-----	27, 000
Amount transferred from appropriation "Salaries, district court, Panama Canal Zone"-----	16, 300
Total -----	128, 180
Total estimate or appropriation for 1944-----	2, 590, 280

Mr. CHANDLER. The increases are shown on page 47 of the justification. There are four items of the justification. I would like to take them up in order.

WITHIN-GRADE PROMOTIONS

One is the additional cost of within-grade promotions made in the fiscal year 1943, \$21,880.

Mr. O'NEAL. You are required to do that by law, are you?

Mr. CHANDLER. No, sir; we are not, but such promotions are directed by the judicial conference following the rule of the Ramspeck Act in reference to employees of the executive branch.

Mr. O'NEAL. In other words, if you are living up to the civil-service classifications, although not mandatory, you would have to do it?

Mr. CHANDLER. That is it exactly. This is simply what is necessary to apply to the judicial employees the provision for promotions which the Ramspeck Act makes applicable to the employees of the executive branch.

Mr. JOHNSON of Indiana. In other words, you want to make every promotion that it is possible to make?

Mr. CHANDLER. I am of the opinion that the nature of the work of the judicial employees warrants giving to them the benefit of a promotional policy which corresponds to that given to the employees in the executive branch of the Government. The judicial conference considered this matter at its meeting in the autumn of 1941.

At that time the Ramspeck Act had been enacted and it was about to be applied to the executive departments. The judicial conference simply authorized me to establish a corresponding plan for the court employees under which the employees would receive promotions within grade of one step for every 18 months of service.

Mr. JOHNSON of Indiana. From that response I take it that your answer to the question would have been "Yes."

Mr. CHANDLER. That is correct; yes, sir. We are putting this in because the Bureau of the Budget, when we met on this estimate, suggested that such increases as would be involved in caring for the full 1944 salaries pursuant to promotions which were made at some time during the year 1943, should be included. That is what this sum of \$21,880 is.

NUMBER OF PROMOTIONS

Mr. PLOESER. How many people are you promoting?

Mr. CHANDLER. We can get that information for you. We have promoted everybody whose efficiency was rated as adequate by the head of the office.

Mr. O'NEAL. You made no promotions except in line with civil-service procedure? Is that correct?

Mr. CHANDLER. That is correct; absolutely, sir.

Mr. PLOESER. Did you fail to promote anyone who had been in the service for as long as 18 months?

Mr. CHANDLER. Yes, sir; we did in a very few instances, where the head of the office reported to us that the individual's efficiency would not warrant it. There are not many of those cases.

Mr. O'NEAL. This does not include some of those so-called meritorious promotions?

Mr. CHANDLER. I can answer you on that. We have authorized no two-step promotions in the clerks' offices. We did authorize, in our own office, one two-step promotion, which was reported to the Civil Service Commission.

Mr. O'NEAL. Is that included in the \$21,880?

Mr. CHANDLER. No, sir. There are no two-step promotions included in the salaries of clerks and deputy clerks.

Mr. KIRWAN. Does it come within the act that the promotion of a clerk can be stopped by his supervisor?

Mr. CHANDLER. Yes, sir; it does come within the plan which the judicial conference directed me to follow. In other words, they directed me to provide for the promotions if the efficiency of the employee warranted it.

Mr. ANDERSON. That is what I wanted to ask you. Suppose the clerk's supervisor had something against him; there you would be able to hold him back?

Mr. CHANDLER. The plan provides that anybody who is aggrieved by the rating given in the clerk's office should have an appeal to the judge of the court.

Mr. ANDERSON. Oh, yes; he could probably have the appeal; but I don't like that, because whenever a man serves 18 months and is entitled to the promotion someone could hold him down. That is why I asked the question. Is that within the act?

Mr. CHANDLER. Yes, sir; it is.

Mr. ANDERSON. I do not think that is a very nice provision to have in an act.

Mr. CHANDLER. It is absolutely prescribed in the Ramspeck Act that promotions can be made only when a given efficiency is attained as shown by the ratings. The plan approved by the judicial conference for the court employees contains a similar provision.

Mr. JOHNSON of Indiana. Are these civil-service clerks?

Mr. CHANDLER. No, sir.

Mr. JOHNSON of Indiana. If they are not competent, they could be released?

Mr. CHANDLER. Yes, sir, they could be released.

Mr. JOHNSON of Indiana. Is it the policy, where you have a clerk who does not perform up to standard so as to be entitled to an increase, Mr. Chandler, to keep on that clerk, or would it be better to displace that clerk and get another one?

Mr. CHANDLER. You realize that that is a matter for determination, in the first instance, by the clerk and, in the second place, by the court which he serves. Inasmuch as the clerks of courts are appointed by the courts, in almost every instance the matter of dismissal of an employee of a clerk would be with the court.

I cannot make any general answer to that question. That would be a question that each court would have to decide for itself. There are certain situations in which it may be better to do something of that kind. But I can conceive of considerations of humanity that might operate against dismissing an employee, and yet both the clerk and the court might not consider that he was entitled to an advancement.

Mr. O'NEAL. A clerk who is not entitled to a satisfactory efficiency rating, would not receive a promotion.

Mr. PLOESER. It is remarkable that you have such a great percentage of efficient people, to justify all of these increases. It is quite contrary to the ordinary walks of life.

Mr. JOHNSON of Indiana. Whose recommendation do you take as to whether the employee is entitled to an increase?

Mr. CHANDLER. The recommendation of the clerk, sir.

RECLASSIFICATIONS WITH RESULTING INCREASES IN SALARY

Mr. O'NEAL. What about the item of \$63,000?

Mr. CHANDLER. On the \$63,000 for reclassifications Mr. Chairman, I should like to make a statement, because the salary scales in the clerks' offices, particularly in the lower ranks of the service, have long been a cause of complaint. At the present time the salaries of the clerks of court and their staffs are fixed by the Administrative Office, of course within the amounts permitted by the appropriations. If you will turn to page 170 of the Committee Print, you will find the salary scale. You will observe that in the estimate for 1943, which is the year in which we are working at the present time, there is a provision for 1,041.6 employees or, let us say, 1,040 employees, in round numbers, Mr. Chairman.

Mr. O'NEAL. Or man-years, let us say.

Mr. CHANDLER. That is right. It is man-years, 1,041 persons working 1 year. In the salary range you will find that 184 of those are

in grade 4, with average salaries of \$1,909, 172 in grade 3, with average salaries of \$1,730, 312 in grade 2 with average salaries of \$1,567, and a few in grade 1 with average salaries of \$1,299. In the aggregate there are something like 496 or nearly 500 employees in the clerks' offices who are classified in grades with a lower basic salary than \$1,800 per annum.

The clerks of the United States courts and their staffs perform duties calling for knowledge of statutes and regulations and a considerable amount of judgment. The clerks' offices are the gateway to the Federal courts. The deputy clerks receive and put in process for action the pleadings in suits of all kinds, civil, criminal and bankruptcy and provide for the issuance of summons when suits are begun. They likewise receive petitions for naturalization and applications for passports. The attorneys in suits brought and defended, applicants for naturalization and passports, and members of the public generally look to the clerks and their deputies for information and advice on the correct procedure in their various matters.

Most of the deputies who attend the judges in the courtrooms are required to put into the appropriate forms of orders decisions orally announced by the judges at interlocutory stages of the proceedings and sometimes upon the final judgment. The deputies transmit to the Administrative Office the individual case reports upon which the statistics of the courts are based. The report is made as each case is begun and as it is terminated. The deputy clerk reporting cases begun must be able to classify them among the different kinds of actions which are minutely subdivided. He has to have the ability to determine this from the pleadings.

The deputy clerks tax the fees and costs prescribed by statute for proceedings in the Federal courts and various incidental services. For instance, they make searches for judgments and liens and issue certificates for the correctness of which the clerk is liable on his bond. When papers are filed the deputy receiving them has to know whether fees are payable and what is the amount, these varying for different kinds of pleadings. The clerks handle two principal classes of funds, trust funds and registry funds—the first consisting in general of amounts paid or deposited for costs, the greater part of which will probably go ultimately into the Federal Treasury for services rendered by the clerk, and the remainder of which will be refunded, and registry funds consisting in the main of funds temporarily in the custody of the court belonging to private parties, the disposition of which will be determined by the court. In this class fall amounts deposited for condemnation awards which in some districts run into millions of dollars. The clerks of the district courts at the present time in some seaport districts are charged with the administration and the payment or delivery to the proper persons of the wages and other moneys and effects of seamen who have perished in the sinking of their vessels by submarines. The clerk of the United States District Court of the Southern District of New York has approximately \$500,000 of such moneys for such distribution.

Except in a limited number of large offices, it is rare that deputy clerks devote any large proportion of their time to typing or stenography. There are some employees whose work is mainly limited to such duties. But a much larger number work at typing or stenography only a small part of their time and in addition perform other duties in the nature of attending to the public, receiving and filing papers, preparing reports, keeping the books, accounting for the funds, and other miscellaneous tasks. In a great majority of the offices, in each of which there are only a few employees, a high degree of specialization of duties is not practicable, and in the course of a day the deputies will perform different kinds of duties, dependent upon the work coming in at the time.

Descriptions of the duties of deputy clerks in different districts on file in the Administrative Office of the United States courts show that in a large number of instances deputies performing difficult and responsible duties occupy only grades CAF-2 and CAF-3, which are appropriate only for routine clerical work such as typing and stenography. To take one instance: One deputy in grade CAF-2 records the judgments, decrees, and orders of court in the civil action record books, makes appropriate docket entries, issues writs of execution, taxes costs, and posts the judgments in the judgment docket; keeps the general court minutes in all departments of the court and prepares the transcript of record in appeal cases. Ninety percent of her time is spent in this work. Five percent is spent in preparing the final statistical data in cases other than bankruptcy proceedings and making up monthly summaries and 5 percent in taking dictation of letters from the clerk and transcribing them. According to standards recommended by the Civil Service Commission, such a position should be classified in grade CAF-6.

Similar instances which might be multiplied indefinitely are illustrations of the fact that the salaries of many positions in the clerks' offices are low in comparison with the scale of salaries for positions of equal difficulty and responsibility in other branches of the Government service and in private industry. This condition has been a grievance of the clerks of the Federal courts and their staffs for a number of years. In consequence of the inadequacy of the salaries there has been in recent months an increasingly heavy turn-over in positions in the clerks' offices.

In the fiscal year 1942 there were 116 separations from the service, approximately 11 percent of the average roll of 1,060, of which only 20 were accounted for by military service leaving 96 due to other reasons. In the first 8 months of the present fiscal year ending February 28, there have been 152 separations, representing 14 percent of the average roll of 1,067, of which 53 were accounted for by military service and 99 were due to other reasons. In both 1942 and 1943 much the greater number of separations for other reasons than military service occurred in the lower grades, pointing plainly to insufficiency of the compensation as a cause. Thus in the first 8 months of the present fiscal year 1 of the 99 separations for other reasons than military service occurred in grade CAF-1, 50 in grade CAF-2, 15 in grade CAF-3, and 13 in grade CAF-4, a total of 78 percent in those four lowest grades. Repeatedly clerks have written to the administrative office of the United

States courts urging that positions of deputies in their offices be reclassified to higher grades with higher salaries in order to hold them, but the amount of the appropriation has not permitted compliance with these requests.

Many deputies performing responsible duties in lower grades are leaving the service, and deputies who remain in the service are laboring under a sense of injustice. This is accentuated by the fact that a number of years ago the appropriation for the marshals' offices was raised to a point which permitted minimum salaries of \$1,800 to be established for deputy marshals performing duties requiring judgment and discretion. The duties of deputy clerks of the nature described are certainly equally responsible and exacting and there is no sound reason for the inferiority in salaries.

In 1941 upon the request of the administrative office of the United States courts the Bureau of the Budget made a study of the offices of clerks of United States district courts and recommended certain improvements in procedures which the administrative office has in mind and is endeavoring to bring about as rapidly as is practicable. One of the recommendations of the Bureau was that there should be a reclassification of all positions in the clerks' offices. In this part of its report the Bureau said:

There is an almost unanimous feeling among the personnel of the clerks' offices that salaries, particularly those of deputy clerks and office assistants, are lower than those paid for work of comparable difficulty and responsibility in other branches of the Government service. This situation has tended to impair morale; it is in urgent need of attention if an esprit de corps, so essential to the efficiency of any organization, is to be fostered.

No attempt was made during the course of this work to classify any of the positions in the clerks' offices. Consequently it cannot be said whether there is any basis for the belief of the clerks and their employees that their salaries are low. This feeling appears to be so widespread and deep-seated, however, that the matter should not be long ignored. It is, therefore, recommended that the administrative office undertake a reclassification of all positions in the clerks' offices at the earliest opportunity. Consultation with the Civil Service Commission might well prove helpful.

The Appropriations Committee of the House of Representatives in its report upon the present appropriations for the courts made a like recommendation, saying:

It is suggested that the Administrator of Federal Courts call in the Civil Service Commission in an advisory capacity to make a survey of the positions and responsibilities of deputy clerks in the various courts throughout the country with a view of establishing a classification schedule that will provide compensation commensurate with the responsibilities that the deputy clerk is called upon to acquit.

The Administrative Office after securing the approval of the Judicial Conference of Senior Circuit Judges acted in accordance with these recommendations and requested the Civil Service Commission to give its advice in reference to the classification of typical positions in the offices of clerks of the district courts. The Commission has done so and has recently evidenced its judgment by providing descriptions of duties with assignment of grades deemed by it appropriate to typical positions of deputy clerks. In grade CAF-2 it classifies typists and file clerks. But all deputies performing duties connected with advice to the public in reference to the filing of

pleadings and steps in procedure, the reporting of statistics and the handling of the accounts and other like matters, are classified in grade CAF-4 or higher, with some variation for the degree of supervision of other employees and the amount of independent judgment required.

The following description of the duties of a deputy clerk in a medium-sized office, a position classified by the Civil Service Commission in grade CAF-6 with an entering salary of \$2,300 per annum is an example:

Waits on the public answering questions as to cases and procedure; advises attorneys regarding the files of the court; receives, examines, and files complaints, indictments, and information as well as petitions in bankruptcy entering same in the dockets and indexes; docket pleadings orders, judgments, verdicts; receives and records deposits covering costs; and issues all process in the name of the clerk.

Files legal papers and searches files at the request of court or attorneys.

Keeps cashbook; posts receipts and disbursements in dockets, makes deposits of collection; prepares schedule of emoluments for quarterly report; and prepares schedules of collections.

Prepares card records on opening and closing of all civil, criminal, and bankruptcy cases for the Administrative Office.

Files applications and petitions in naturalization matters and prepares passport applications.

On own initiative prepares correspondence on court procedures, status of cases, rulings and decisions of the judges, etc.

Acts as courtroom deputy.

An examination which has been made of the present grades and salaries of the positions in the clerks' offices of the district courts, position by position, on the basis of the descriptions of duties on file in the Administrative Office, indicates that in order to bring the grades and salaries into conformity with the standards recommended by the Civil Service Commission it would be necessary to reclassify to higher grades 425 positions. The addition to the appropriation for the current fiscal year necessary to provide for this is estimated to be in excess of \$85,000. In the estimate for clerks' salaries now under consideration the sum of \$63,000 is provided for this purpose. I would respectfully but earnestly urge that this amount be included in the appropriation.

If the appropriation is made it is the purpose of the Administrative Office to reclassify only those positions in the lower grades which are manifestly not appropriate for the duties performed. No change is contemplated in the classification of those employees who are performing routine duties which belong in grades CAF-2 and CAF-3. But the study of the Civil Service Commission makes it plain that there are upwards of 400 positions which are classified below the grades in which they rightfully belong. This condition should be rectified not only as a matter of simple justice to the employees but for the efficiency and morale of the service. I trust that favorable action by the Congress will make this possible.

DIFFERENCES IN COST OF LIVING BETWEEN STATES

MR. O'NEAL. Did you take into consideration the differences in cost of living, let us say between Washington and some of the Western States?

Mr. CHANDLER. We know that there is some difference; but we did not apply that for the reason that we do not think it is feasible to apply it.

Mr. O'NEAL. In other words, that was not taken into consideration so far as the amounts were concerned?

Mr. CHANDLER. No, sir; it was not.

Mr. O'NEAL. It was treated as a single problem as of the one office?

Mr. CHANDLER. Well, now, just a moment. It is based upon what is regarded as proper compensation for the classes of duties involved, in whatever office performed, taking into consideration what is the going rate for that kind of service.

Mr. O'NEAL. In Washington; but not elsewhere?

Mr. CHANDLER. No, no. That is not limited to Washington.

Mr. O'NEAL. What was the place of the going rate? To where was it applied? What was your standard for it?

Mr. CHANDLER. The salaries under the classified civil service system, as I understand it, are uniform throughout the country. For instance, a grade 2 clerk everywhere in the Government receives a salary of \$1,440.

Mr. O'NEAL. Did you find that any reductions were warranted? Were you a little high on any of them, or on all of them were you lower than the civil service for the same class of work?

Mr. CHANDLER. We were uniformly low.

Mr. O'NEAL. There were no reductions borne out by that study?

Mr. CHANDLER. No, sir.

DUTIES OF VARIOUS CLASSES OF CLERKS

Mr. O'NEAL. What were the duties of these four classes? Senographers and what else would be included?

Mr. CHANDLER. We divided the offices for the purpose of this study into three general groups. One is the large city office, in which there is a considerable volume of business and some degree of specialization. Then there is the medium office with a relatively small number of employees; and then there is the small office.

Mr. O'NEAL. But you did not, in taking the difference from the big city to the smaller city, take into consideration the differences in living costs?

Mr. CHANDLER. No, sir.

Mr. O'NEAL. Is it logical to consider it from the standpoint of the size of the place but not the other differences?

Mr. CHANDLER. Frankly, Mr. Chairman, it follows the civil-service practice. This classification is based upon the nature of the duties.

Mr. O'NEAL. Does the Civil Service take into consideration the duties in the city of New York, let us say, and in the city of Memphis in your classification?

Mr. CHANDLER. Absolutely; yes, sir.

Mr. O'NEAL. Then that affects the amounts that they earn?

Mr. CHANDLER. Yes; that is right.

Mr. PLOESER. The Civil Service Commission does not take into consideration the cost of living in any particular place?

Mr. CHANDLER. No, sir; they do not.

Mr. PLOESER. The Civil Service Commission does not care whether he lives in a town of 15,000 people or in a town of 1,500?

Mr. CHANDLER. That is correct. If it is a large office, whether in New York, in San Francisco, in Washington, or in Houston, Tex., the Commission would say that a given type or kind of position should receive a given salary; and, likewise, in a small office, whether in the West or in the East.

CLASS OF WORK PERFORMED

Mr. O'NEAL. What type of work do these four grades perform for which the specific amount of \$63,000 increase is asked? Are they stenographers, or what are they?

Mr. CHANDLER. I wonder if the best way to answer that question would not be to leave one of these classifications here?

Mr. O'NEAL. Well, in whatever way you can answer it. But I would like to know what those four classifications generally apply to in your work.

Mr. PLOESER. I am not a lawyer and I do not go into the court very often, but in a court the clerk of the court and the clerk that you are talking about probably does a miscellaneous assortment of work, doesn't he?

Mr. CHANDLER. That is right.

Mr. O'NEAL. That is what I want to get at. In other words, what type of work do these four divisions do generally?

Mr. CHANDLER. Naturally, even at the present time we try to differentiate between employees in grades CAF 1, 2, 3, and 4. There are very few below grade 2.

WORK OF GRADE 1 CLERKS

Mr. O'NEAL. What does grade 1 do? Of course, it is not absolutely uniform; but what type of employees are in grade #1?

Mr. CHANDLER. I should say that a grade 1 employee would be just an absolute beginner who does clerical tasks around the office.

Mr. O'NEAL. Would the janitor be classed as grade #1? Have you anything that corresponds, let us say, to janitor work which would be under grade 1, or is it stenographic work. What would it comprehend?

Mr. CHANDLER. A grade 1 employee, of whom I believe there are something like 11, are persons who are the lowest type of clerical worker.

Mr. O'NEAL. File clerks or something like that, are they?

Mr. WHITEHURST. And they are in an office which has very little business.

Mr. O'NEAL. Is it something on the order of a boy of 16 or 17 who might be running errands?

Mr. WHITEHURST. That is correct.

Mr. O'NEAL. And under the present classification he would be drawing \$1,200 to \$1,600?

Mr. WHITEHURST. We do not have any of that kind.

Mr. O'NEAL. For an office boy that would be considered rather good pay, would it not?

DUTIES OF GRADE 2 CLERKS

Mr. CHANDLER. Surely, if he does not do any more than that. There are only 11.8 man-years in that grade. But when you get to grade 2 there are 312 deputies, approximately, who are so classified. Many of the grade 2 employees are excellent stenographers. In addition, they perform miscellaneous functions requiring judgment and discretion as deputy clerks; they receive and file complaints and other pleadings in cases, which are brought in by lawyers; they receive and account for moneys; they prepare certificates and transcripts of records; and they make up statistical reports for the Administrative Office of the United States Courts.

Mr. O'NEAL. The sort of thing that the average stenographer does?

Mr. CHANDLER. No, Mr. Chairman; it is not that at all.

Mr. O'NEAL. What is your stenographic range? Where are your stenographers in this list? What would you say is the range?

Mr. CHANDLER. Practically all of them are in grade 2.

Mr. JOHNSON of Indiana. Then they are doing the thing that you say they cannot do, Mr. Chandler. Is that not right? The chairman says that they can do it, and you say that they cannot do it. But they are really doing it, are they not?

Mr. CHANDLER. What I mean is that stenographic work is only a part and a small part of their activity. They are performing responsible duties. Their compensation is not commensurate with the nature of their work.

Mr. JOHNSON of Indiana. The chairman was not inquiring as to that. But what the chairman wanted to know was, Mr. Chandler, their duties. It does not require any particular skill in filing cases, does it? All that he has to do is to put a file mark on it and put it into the record, is it not? Isn't that about all there is to it?

Mr. CHANDLER. When the cases are brought in for filing the file clerk who receives a particular complaint has to be able to, or should be able to, scrutinize the complaint and find out if the requisites for initiating the case are met.

Mr. O'NEAL. You say the stenographers are pretty much in grade 2. Is that correct?

Mr. CHANDLER. They are in grade 2.

Mr. O'NEAL. How many of the 312 would you say are stenographers or are women?

Mr. CHANDLER. A great many of the grade 2 employees are women. I do not know that we have information as to the precise number.

Mr. JACKSON. We would have to assemble it. I do not have it available now.

Mr. O'NEAL. At any rate, that is, to a large extent, your stenographic group?

Mr. JACKSON. Yes, sir.

Mr. O'NEAL. That is the group in which your stenographers are largely classed? Is that right?

Mr. JACKSON. I would say so; yes, sir.

Mr. CHANDLER. If you will permit me to say this—and I do wish to avoid any misunderstanding—there are very few deputies, except in the large offices, who are stenographers only. They do stenographic

work, but much besides, and other duties take the greater part of the time of most of them.

Mr. O'NEAL. A large number of them are women stenographers, are they not?

Mr. JACKSON. A number of them are women. I would not say that they are all stenographers. They may have a knowledge of stenography, but they perform other important duties.

AVERAGE SALARY

Mr. O'NEAL. The average salary there is \$125, or it was, wasn't it?

Mr. CHANDLER. Yes, sir; that is correct.

Mr. O'NEAL. Or \$1,500 per year is the average?

Mr. CHANDLER. That is correct.

Mr. HENDRICKS. Now, as to grade 2, speaking of stenographers, at times one is confused as to what a stenographer is. A typist merely types, but a stenographer can take shorthand and, as a rule, has filing training and some bookkeeping. That is what a stenographer is. And it should be a higher classification. I don't know what your experience has been, Mr. Chairman, as to securing typists and stenographers; but they just can't be gotten for the Government or for anybody else at the prices here noted; that is, not a real stenographer.

Mr. CHANDLER. Every clerk has to handle letters. At least there should always be one stenographer capable of taking dictation.

Mr. HENDRICKS. Under a strict classification of stenographers they have to take dictation. A typist does not, but the stenographer does.

TURN-OVER OF EMPLOYEES

Mr. O'NEAL. What change in personnel have you had in the fiscal year 1943?

Mr. CHANDLER. We can bring in the exact figures on that point. But there is a constant change in the clerks' offices.

Mr. O'NEAL. Have you any figures on the percentage of turn-overs or anything of the sort, and information showing how many of those are due to the war service or young men going into the military service, or dissatisfaction, or what?

Mr. CHANDLER. I think we can provide information of that kind.

Mr. WHITEHURST. I do not know about the dissatisfaction in every instance, but in a good many instances they go to other positions which pay higher salaries.

Mr. O'NEAL. Can you advise us how much of a turn-over you have had in the clerk personnel in the different grades?

Mr. CHANDLER. We will try to do it.

Mr. O'NEAL. And furnish the information as to whether any of them went into the military service, or the cause of their leaving.

Mr. CHANDLER. We will be glad to do that.

Mr. O'NEAL. Because of those turn-overs there are probably lapses and money to be returned to the Treasury. What are your expenditures to February 1 on this whole item?

Mr. JACKSON. The amount expended under this item was \$1,460,000 to February 1. I might add, Mr. Chairman, that there is an over-obligation in this appropriation at this time.

Mr. O'NEAL. Why?

Mr. CHANDLER. That is because of the overtime pay, the 10 percent overtime pay.

Mr. WHITEHURST. Except for the 10 percent that was added by the same act that provides for the overtime pay in executive departments we are keeping within the appropriation.

DEPUTY CLERKS

Mr. JOHNSON of Indiana. Coming back to this \$63,000 item, Mr. Chandler, we have been talking about clerks all of the time, and I notice it is for deputy clerks. What are the duties of the average deputy clerk?

Mr. CHANDLER. The deputy clerks are all of those persons in the clerks' offices who perform duties involving discretion under the direction of the clerk. We do not propose to change the salaries of the clerks. We ask for no change in the salaries of the clerks.

PERSONNEL TURN-OVER

(The following statements as to personnel turn-over were inserted in the record.)

Salaries of clerk, United States courts—turn-over in positions

Grade of position	Fiscal year 1942		First 8 months fiscal year 1943		Per-cent	Grade of position	Fiscal year 1942		First 8 months fiscal year 1943		Per-cent
	Military	Other	Military	Other			Military	Other	Military	Other	
CAF-14-----		1		1		CAF-5-----	1	3	5	8	14.60
CAF-13-----		1				CAF-4-----	1	8	14	13	14.13
CAF-12-----		4	1			CAF-3-----	1	18	9	15	13.95
CAF-10-----				2		CAF-2-----	12	52	19	50	21.63
CAF-9-----			1			CAF-1-----	2	1		1	10
CAF-8-----				4		Total-----	20	96	53	99	
CAF-7-----		1	1								
CAF-6-----	3	7	3	5	8.42						

Total separations, 1942—116; approximately 11 percent of average roll of 1,060.

Total separations, 1943 to Feb. 28, 1943—152; 14 percent of average roll of 1,067.

Miscellaneous salaries, United States courts—turn-over in positions

Grade	Grand total	Total 1942	Average 391 positions, fiscal year 1942		Total 1943	Percent	Average 285 positions, fiscal year 1943, July 1 through Feb. 28, 1943	
			Military	Other			Military	Other
SP-7-----	92	49	6	43	43	51	5	38
Caf-8-----	1				1	100	1	
Caf-7-----	1	1		1				
Caf-5-----	62	34	2	32	28	11.50	5	23
Other (CPC)-----	6	2		2	4	16.66		4
Total-----	162	86	8	78	76		11	65

Turn-over for 1942, 22 percent; turn-over July 1, 1942, to Feb. 28, 1943, 19.74 percent.

Probation system, United States courts—turn-over in positions

Grade	Grand total	Total 1942	Average 350 positions, fiscal year 1942		Total 1943	Percent	Average 414 positions, fiscal year 1943, July 1 through Feb. 28, 1943	
			Military	Other			Military	Other
P-3.....	1	1		1				
P-2.....	21	9	4	5	12	12.37	4	8
SP-7.....	35	13	3	10	22	9	14	8
SP-6.....	22	18	9	9	4	100	3	1
CAF-4.....	2	2		2				
CAF-3.....	4	1		1	3	11.53		3
CAF-2.....	30	10		10	20	15.38	3	17
CAF-1.....	16	16	2	14				
Total.....	131	70	18	52	61		24	37

Turn-over for 1942, 17.9 percent; turn-over for 1943, 14.73 percent.

TUESDAY, MARCH 2, 1943.

RECLASSIFICATIONS OF DEPUTY CLERKS

Mr. O'NEAL. Mr. Chandler, I believe we were discussing the item of \$63,000 for reclassifications when we concluded yesterday afternoon.

What we are distinguishing between here is between grades 2 and 3 and grades 4, 5, and 6. They also have men in grades 5 and 6 and other grades who do the same sort of work, as well as in those lower grades; is not that correct?

Mr. CHANDLER. Well, there are some persons doing this work in the higher grades.

Mr. O'NEAL. In other words, the point I am trying to emphasize is that in these lower grades apparently you are making the point that the deputies in those grades are the ones who handle the work of deputy clerk; whereas they have in the higher grades deputies who are drawing more money than those in grades 1, 2, 3, and 4, and I do not see the differentiation between those grades there. But I do not think it is necessary to waste much time on that, unless you gentlemen want to ask questions.

Mr. CHANDLER. I have here some descriptions of the specific duties.

Mr. O'NEAL. Suppose you make that a part of the record.

Mr. CHANDLER. Very well.

Mr. O'NEAL. And we will pass on, unless you have something there which you particularly want to emphasize.

Mr. CHANDLER. The only thing I want to emphasize—and if the committee understands it, of course I do not want to labor the point—is that the deputy clerks who are, many of them, now graded in grades 2, 3, or 4 are performing responsible duties which, according to any reasonable standard of salary, should be in a higher grade.

I can illustrate this, I think, by pointing out that of the 1,056.6 man-years which are included in the estimate, the total number of changes in grade recommended which would be necessary to conform to the standards of the Civil Service Commission is 425. We are

not asking that there be a flat increase of all of the personnel in grades 1, 2, 3, and 4. Here are some of them——

Mr. O'NEAL. It is a question of selection, in other words?

Mr. CHANDLER. Exactly.

Mr. HENDRICKS. Let me get the question of grades straight. You say 1, 2, 3, and 4, and I find your deputy clerks under grades 8, 9, 10 and 11.

Mr. WHITEHURST. Those are deputy clerks all the way up from grade 1.

Mr. CHANDLER. I should say that, apparently for reasons of economy in space, the word "deputy clerk" is not repeated in the committee print below grade 7; but there are deputy clerks all the way down the line, even as far down as grade 1.

Mr. WHITEHURST. The Budget instructions were not to put in the title of any positions under \$2,600.

NEW POSITIONS REQUESTED

Mr. O'NEAL. Now, there is an increase of \$27,000 for "personal services, permanent." Will you explain that, please?

Mr. CHANDLER. I will just say a word and then ask Mr. Whitehurst to explain it in detail. For the additional personnel necessary to take care of the increase in condemnation work and naturalization work we have followed the policy, which is clearly sound and has been recommended by the previous committees, of making the appointments on a temporary basis. There are, however, some permanent additions which we believe necessary, as Mr. Whitehurst will explain.

Mr. WHITEHURST. We have a few districts where the permanent work has reached a point where, in our judgment, additional deputy clerks ought to be substituted and we think that the cost will be offset in some part by a reduction in the amount of temporary help we have had to furnish those clerks' offices over the past 2 or 3 years.

In addition, it should be said that some additional clerical help will be needed in those districts where new judges have been authorized. They, of course, will have to have courtroom deputies.

Mr. O'NEAL. Have you any sort of break-down as to where they are needed and how the adjustment will be made, or is it just a general statement?

Mr. WHITEHURST. It is just a general statement.

Mr. O'NEAL. How many new employees in the over-all picture do you contemplate you will have if you are allowed this \$27,000?

Mr. WHITEHURST. Fifteen.

Mr. O'NEAL. Is that recommended by the judicial conference?

Mr. CHANDLER. Yes; the judicial conference recommended the entire estimate, and I remember, when I was explaining the estimate to them, that was one of the items to which I called their attention.

Mr. O'NEAL. That was done on a specific basis, and, if you get that money, you know about where you are going to put it?

Mr. CHANDLER. Yes, sir. I can give you one illustration now of a district where we have had a temporary deputy, and we renewed the appointment five or six times for a period of about 2½ years. That is the district of Oregon. The judge of the court asked us if we

could not put that employee on a permanent basis. I felt, in view of the amount in the appropriation and the number of permanent positions that that would provide, I could not do it and I told him so. But, I said, "We are going to ask money for the creation of a few additional permanent positions." He wrote back that he was sorry; the employee could not wait and had resigned to take another position. There is a case, Mr. Chairman, where a continuous increase in the business of the court shows plainly that there is a permanent need.

REQUIREMENTS OF NEW COURTS

Mr. JOHNSON of Indiana. Was not one of the reasons for asking for this on account of the establishment of new courts?

Mr. CHANDLER. Yes, sir.

Mr. JOHNSON of Indiana. How many new courts have been established?

Mr. WHITEHURST. Three additional judges have been authorized, two district judges, and one circuit judge.

Mr. JOHNSON of Indiana. And how many of these employees would go to the new courts?

Mr. WHITEHURST. Perhaps three or four.

Mr. JOHNSON of Indiana. Well, would it be three or four?

Mr. CHANDLER. There would be certainly a court room deputy for each district judge and, if that increased the burden of work in the clerks' offices, it might make necessary some further additions.

Mr. JOHNSON of Indiana. What would be the salary?

Mr. WHITEHURST. \$1,800.

Mr. JOHNSON of Indiana. And you would need at least four for that purpose at \$1,800?

Mr. WHITEHURST. Yes, sir.

Mr. HENDRICKS. This is not what some of the judges asked for—a law clerk, is it?

Mr. CHANDLER. No, sir; that is an entirely separate matter.

Mr. HENDRICKS. Do you take that up later?

Mr. CHANDLER. That comes under the appropriation for miscellaneous salaries and, if the committee will permit, a committee of judges, of which Judge Knox is chairman, has been designated to present that item.

NEED FOR NEW PERMANENT PERSONNEL

Mr. O'NEAL. I would like to ask if this \$27,000 were allowed, would it not then be deemed that those positions are definitely created and they become permanent positions? Is not that correct?

Mr. CHANDLER. Yes, they become permanent positions. Of course, they may be abolished in the future, if the business should decrease; but they would become permanent positions.

Mr. O'NEAL. You have positions now that are on a temporary basis, have you?

Mr. CHANDLER. Oh, yes.

Mr. O'NEAL. What would be your attitude if this amount were allowed, but possibly some limitation put in there "for temporary employees"? It just increases your work?

Mr. CHANDLER. There is one difficulty with your putting that limitation on. Of course we will do the best we can to comply with it—

Mr. O'NEAL. I realize that.

Mr. CHANDLER. But one disadvantage of it—and it is a real disadvantage in getting good persons—is that if you have a continuing addition to the work and you need really to enlarge the force permanently, the quality of the personnel you can get if the position is on a temporary basis is inferior to what you can get if you can hold out the prospect of continuous tenure. That was shown in the case of the district of Oregon.

Mr. O'NEAL. But your request is based largely on the increased work due to condemnation and naturalization. Of course, immediately following the war, the condemnations will probably fall off tremendously.

Mr. CHANDLER. They will fall off.

Mr. O'NEAL. And possibly naturalizations, too; I do not know. They may increase.

Mr. CHANDLER. I look to see naturalizations go up for a time, then go over the hill and come down.

Mr. O'NEAL. Under the circumstances, it seems to me it would be advisable to keep them on a temporary basis, rather than to increase the Government's pay roll of permanent employees.

Mr. CHANDLER. I agree with you, Mr. Chairman, except those particular positions we consider are positions which will be permanently needed. Where the need for personnel is due to condemnation and naturalization work, we do not ask for permanent positions.

CLOSING OF CERTAIN OFFICES OF CLERKS OF COURTS

Mr. O'NEAL. There must be a lot of those outlying clerks' offices and others where they have a lot of employees and the work is very light. Do you know of such places and, if it were left to you, would you abolish them?

Mr. CHANDLER. I would certainly abolish a number of those outlying offices; but as long as they are to be kept open there is not very much that can be done about detaching the manpower, because most of the offices that have little business and could be abolished are served by only one deputy.

Mr. O'NEAL. Suppose I ask you to give us your opinion as to what offices could be abolished without any impairment of the work of the Federal courts?

Mr. CHANDLER. I should be glad to answer that at a succeeding session, because I am not prepared now.

Mr. O'NEAL. Just put it in the record.

Mr. CHANDLER. All right, I will put it in the record.

(The following statement was inserted in the record by Mr. Chandler:)

I should be going beyond my authority to recommend the abolition of specific branch offices of the district court clerks without consulting the judicial councils of the respective circuits and the judicial conference of senior circuit judges. Such branch offices, in which the amount of business in the fiscal years 1941 and

1942 was the lowest, with data concerning the number of cases filed and the number of days of court held in those years are as follows:

District and office	Civil cases filed		Criminal cases filed, 1942	Days of court	
	1941	1942		1941	1942
First circuit: Massachusetts: Springfield				3	15
Fourth circuit:					
Maryland: Cumberland	4	1		2	
North Carolina (western): Statesville	13	11	44	6	6
Virginia (western):					
Big Stone Gap	2	8	41	6	8
Charlottesville	3	3		6	2
Fifth circuit:					
Florida (southern): Key West	4	11	5	4	3
Texas (south): Victoria	7	10	24	5	6
Texas (western): Del Rio	2	5	12	6	3
Seventh circuit: Wisconsin (western): La Crosse	2			3	1
Eighth circuit:					
Arkansas (eastern): Batesville	16	15	20	7	8
Arkansas (western): Harrison	20	17	13	6	9
Iowa (southern):					
Creston	8	13	3	7	2
Ottumwa	10	4	3	6	5
Nebraska:					
Chadron	4	10	18	4	4
Grand Island	11	8	12	7	3
Hastings	5	5	9	15	2
McCook	2	1	2	2	3
Norfolk	6	10	9	1	1
North Dakota:					
Minot				2	1
Grand Forks				5	4
Jamestown					
Ninth circuit:					
Idaho: Moseow	11		13	9	9
Washington (western): Bellingham	4	3		25	10
Tenth circuit: Colorado: Pueblo	3	2		6	1

Mr. HENDRICKS. Mr. Chairman, I think we missed something there. He is speaking of abolishing some of those offices. Those offices are created by statute, are they not?

Mr. CHANDLER. Yes; they are created by statute.

Mr. HENDRICKS. And the statute would have to be repealed?

Mr. CHANDLER. I assume that is true; but I thought the committee—

Mr. HENDRICKS. I thought we had missed that point and that we should understand, even where they are not necessary, that we would have to repeal the statute.

EARNINGS OF CLERKS' OFFICES

Mr. O'NEAL. Mr. Chandler, I would like to ask you about the earnings of clerks' offices.

Mr. CHANDLER. I am glad to say that the earnings of clerks' offices for the fiscal year 1942, including naturalization earnings, totaled \$2,855,026.26. The naturalization earnings alone totaled \$1,548,631.50. It will be noted that the total earnings for the fiscal year 1942 exceed the estimate for clerks' salaries for 1944 by \$264,746.

Mr. O'NEAL. Do you expect you will do as well as that in the fiscal year 1943?

Mr. WHITEHURST. I do not think so, because the law has been changed to eliminate the 1-percent poundage fee formerly charged by clerks and turned into the Treasury. Until recently, the law provided that the clerks should collect a commission of 1 percent on all

money received and paid out by them and that, of course, was turned in to the Treasury, as are all fees collected by clerks.

Mr. O'NEAL. What portion of that \$2,855,000 do you estimate came from those poundage fees that would not be available for 1943?

Mr. WHITEHURST. It is a pretty substantial part; I cannot give you the figure.

Mr. O'NEAL. I mean just an approximation?

Mr. WHITEHURST. I would say it would amount, perhaps, to more than a third or a quarter of the clerks' fees, exclusive of bankruptcy and naturalization, which are not affected. It amounted to a very substantial sum in the southern district of New York. The clerk of the court furnished me with a statement that during the first 6 months of the present fiscal year he did not collect the sum of \$5,384.59 from litigants which he would have collected had the act remained in force. This was more than a third of the earnings exclusive of bankruptcy and naturalization, for that period.

CONSOLIDATION OF APPROPRIATIONS

Mr. O'NEAL. Mr. Chandler, this committee has always examined very carefully any request for consolidation, because it seems to lessen the intimate understanding of the appropriation. What would be your feeling about this Panama Canal consolidation? If it were not allowed, would it seriously affect your work?

Mr. CHANDLER. It would not affect the work seriously, but it would lessen the flexibility in the appropriation.

Mr. O'NEAL. Have you any particular interest in it, or did it come from the Budget?

Mr. CHANDLER. I do not know whether the Bureau of the Budget suggested that or not. The Bureau of the Budget has been suggesting, in general, that we follow the policy of putting together in a single appropriation those expenditures which are alike in nature. But I will say to you, very frankly, that I do not regard it as a matter of major interest.

Mr. O'NEAL. It is of no particular interest to you?

Mr. WHITEHURST. I think can explain how it arose. They needed a little temporary extra help in the clerk's office in that court because of the increased work down there and, because the appropriation only amounted to \$25,000, or so, all of which was obligated, we could not authorize it and it was necessary to seek a deficiency appropriation to permit the employment of one additional deputy.

Mr. O'NEAL. In other words, their request is based on practical reasons?

Mr. WHITEHURST. That is right and, if this appropriation is incorporated in the larger general clerks' appropriation there will be sufficient flexibility to permit us to meet temporary situations of that kind.

Mr. ANDERSEN. Reverting to the preceding item, can the gentlemen present give us information as to the earnings for the previous 2 years, and how they compare?

Mr. CHANDLER. Surely.

Mr. ANDERSEN. Will you insert that?

Mr. CHANDLER. I will be glad to.
(The statement referred to is as follows:)

Earnings of clerks' offices (including naturalization)

Fiscal year:

1940	\$2, 532, 740. 99
1941	2, 636, 732. 55
1942	2, 855, 026. 26

Mr. HENDRICKS. The earnings have increased, have they not, Mr. Chandler?

Mr. CHANDLER. Yes; they have. Certainly they were higher in 1942.

CHANGE IN TITLE AND IN TEXT

Mr. O'NEAL. Now, there is a change in title which you might mention, and in the text, both. Explain the reasons for requesting that.

Mr. CHANDLER. The title of this appropriation has been changed from "Salaries and expenses of clerks, United States Courts" to "Salaries of clerks, United States courts." At the suggestion of the Bureau of the Budget, the funds for communications expenses, supplies and materials, equipment, and other incidental expenses have been consolidated into one general appropriation for expenses of the courts. Consequently, the expense allotments heretofore carried in this appropriation are now included in the appropriation "Miscellaneous expenses, United States courts." The title of this appropriation has been changed to "Salaries of clerks, United States courts," in order that it may more accurately describe the purpose of the appropriation.

As to the change in text: It is requested that the text of the appropriation be changed by eliminating the words "and expenses" in the title and by eliminating the words "and expenses of conducting their respective offices," so that the text as changed will read as follows:

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies and other assistants, \$2,590,280.

This change is necessary due to the transfer of expense allotments previously carried in the appropriation to the appropriation "Miscellaneous expenses, United States Courts." That comes a little later.

PROBATION SYSTEM, UNITED STATES COURTS

Mr. O'NEAL. If there are no further questions on this item, we will proceed to page 171 of the bill, and page 53 of the justifications, having to do with the probation system.

Mr. CHANDLER. If the committee please, I would like to introduce at this time Mr. Chappell, who is Chief of Probation Division in the Administrator's office and who naturally has the most direct information on this part of the work.

Mr. O'NEAL. We will insert in the record page 53 of the justifications which you submitted to the committee.

Probation system, United States courts:	
Regular appropriation, 1943 act-----	\$988,000
Supplemental appropriations for 1943-----	
Total appropriations, 1943-----	988,000
Deduct nonrecurring and other items not required in 1944: Transferred to "Miscellaneous expenses, United States courts"-----	58,000
Base for 1944-----	930,000
Increases requested for 1944:	
Additional cost of within-grade promotions authorized in 1943-----	\$7,630
Reclassifications with resulting increases in salary-----	12,000
01 Additional personnel-----	\$48,900
Less delays in filling new positions-----	10,000
	38,900
Total-----	58,530
Total estimate or appropriation for 1944-----	988,530

Mr. O'NEAL. As I understand, the probation system is almost unanimously approved by the sitting judges, the Federal judges?

Mr. CHANDLER. It is, yes. I might say that as you all probably know Judge Schwellenbach who used until a short time ago to be a Senator from Washington, is going to have an article in the next issue of Federal Probation, in which he recounts in detail the course that he is following in reference to securing presentence investigations of men convicted before him. Certainly the overwhelming testimony is that the judges find this very helpful.

Mr. O'NEAL. The amount that you received in appropriations in 1943 was \$988,000, and the amount that you are requesting for 1944 is \$988,530. I believe that your base is \$930,000 and there are several increases there which I will ask you to explain.

Mr. CHANDLER. The first item, the additional cost of within-grade promotions authorized in 1943 is of the same nature as the like item for employees in the clerks' offices which I explained yesterday, that is, it is the sum believed to be necessary to apply the promotional plan for length of service within grade which corresponds to the Ramspeck Act for executive offices.

The second item for reclassification is for an increase in salary of \$12,000 which is designed to remedy inequalities between the salaries of probation officers who were appointed several years ago when the entering salary was lower than it is at present and officers who have been appointed since.

The Congress in the appropriation for the current year increased the amount so that from that time forward the entering salaries of probation officers might be set at \$2,300 per annum instead of \$2,000 as they had been before, and the entering salaries of clerks in the probation offices at \$1,440 instead of \$1,260 per annum as they were before. Now, the new appointments are being made upon that basis. It necessarily happened that there were officers in the service who had been previously appointed at the prior basic salary, \$2,000 per annum, whose salaries were not in line with the new basis.

Mr. HENDRICKS. It would be less?

Mr. CHANDLER. They were less.

RECLASSIFICATIONS OF PERSONNEL

Mr. O'NEAL. What grade are these people that you are asking these increases for? On page 172 in your itemization there, what grade is that that you speak of?

Mr. CHANDLER. It is subprofessional grade 7.

Mr. O'NEAL. You will notice there in grade 6, range \$2,000 to \$2,600, you have nothing listed there. I wonder if you could explain that?

Mr. CHAPPELL. SP-7 to P-2.

Mr. JACKSON. Most of the officers will fall within the subprofessional grade 7 where the salary range is \$2,300 to \$2,900. In the 1942 column you will find that 72.4 man-years were shown there under subprofessional grade 6. The reclassification made possible in 1943 the bringing of all of them up to the minimum of \$2,300.

Mr. O'NEAL. Grade 7?

Mr. JACKSON. Grade 7; yes.

Mr. CHANDLER. Of course it is true that some of the present officers who have been in the service are receiving salaries above \$2,300, but there are officers who have been some time in the service who are not getting any more. Their salaries are out of line with the present entering salaries of that amount. For instance, there are 13 probation officers at the present time who have been 2 years in the service who are receiving only \$2,300 per annum. To give them the benefit of the higher basic rate, they should be rated to \$2,400 per annum.

REQUEST FOR NEW CLERKS

Mr. O'NEAL. You are also asking for 10 clerk-stenographers at \$1,440, and that makes a grand total for the items included in the increase of \$68,530 from which you have deducted an estimated saving of \$10,000, leaving a net increase of \$58,530; is that correct?

RECOMMENDED REDUCTION IN NUMBER OF NEW OFFICERS

Mr. CHANDLER. That was our estimate. I want to say to you, Mr. Chairman, that though when this estimate was made up, we asked for a provision for 15 additional probation officers at \$2,300 per annum, Mr. Chappell and I have considered the situation. We realize the difficulty of securing proper personnel at the present time, and I am disposed to say if your committee can see your way clear to provide for five additional officers, we will regard that as sufficient at this time.

You probably know that authorities on probation set a standard for the case load per officer in order to do efficient work. The general standard is 50 to 60 cases per officer. The case load in the Federal service at the present time is very much higher than that. It is about 135. I am not disposed to think that the load needs to be reduced to the standard that I mentioned. At the same time it is true that frequently the probation officers have to work under more strain than they ought, and they cannot do the thorough work that they should. So we deem it necessary to decrease the case load. At the same time if this committee would provide a sum for 5 additional officers now instead of 15, we should be satisfied.

Mr. O'NEAL. You are having difficulty getting the right kind of personnel for that job, I suppose?

Mr. CHANDLER. We are having difficulty now.

QUALIFICATIONS REQUIRED OF APPOINTEES

Mr. O'NEAL. What do you demand, or ask for, in a person qualifying for a probation officer?

Mr. CHANDLER. Each court, Mr. Chairman, makes its own appointments. But the judicial conference of senior circuit judges has considered the subject of qualifications, and in the report of the last meeting of the conference you will find this action: The judicial conference of senior circuit judges recommends that the district courts set up minimum qualifications, such as a broad education equivalent to a college education and 2 years of experience in personnel work which may be gained in a wide variety of ways—such as case work, experience as a lawyer with a practice concerned with persons, helping them to solve their problems, or as an educator, teacher, or school administrator. The judicial conference recommends those standards, and the courts almost uniformly say that they are convinced of their value and they are trying to live up to them.

Mr. O'NEAL. How is it divided between men and women?

Mr. CHANDLER. Let me see. I think in New York City, where a considerable number of offenders are women, we have one, and Mr. Chappell tells me that there is one in Los Angeles. Otherwise all of these officers are men, and it has been my judgment, and it is the judgment of most of the courts, that for the Federal type of offender a man is better able to do the work.

Mr. O'NEAL. You said that the judges may appoint probation officers. What limit is there, just the limit of appropriation and your approval?

Mr. CHANDLER. The procedure is if a given court wants to appoint an additional officer, he writes me and asks me whether I will authorize the payment of the compensation. I consider the state of the appropriation, I consider the number of officers in his court in relation to that in other courts, and if I am of the opinion that the appropriation will permit and the volume of work requires, I give the authority.

PERCENTAGE OF OFFENDERS WITHIN DRAFT AGE

Mr. O'NEAL. Mr. Chandler, with reference to crime of this type, what percentage would you say in the past has been committed by those within the draft age limit; in other words, 18 to 38.

Mr. CHANDLER. A very large proportion. I do not know the exact number now, but Mr. Chappell tells me that there are something over 3,000 persons, who have been placed on probation and who have gone into the armed services. One of the duties which the probation officers have been performing in the last year and a half has been to facilitate and help the entry into the armed services of those men on probation who they considered were fit for military service.

Mr. O'NEAL. How much do you think the crime record, or the number of cases for crime that might come from this age group, will be decreased? Would not probably all of them be in the service? Can

you not look to 1944 and see that there would be a great decrease in the number of cases requiring the use of probation officers?

Mr. CHANDLER. The ordinary types of crime are going down, Mr. Chairman, such as violations of the liquor laws which form a large category. The interstate theft of automobiles has also gone down for practical reasons. The number of violations of the antitrust laws has gone down. But the total number of crimes is going up because the decrease in the ordinary type has been more than offset by types of crime related to the war.

Mr. O'NEAL. Do you mean desertions? You have nothing to do with desertions.

Mr. CHANDLER. The only cases in which we do anything in connection with military offenses are those in which the Army calls upon the probation officers to get some assistance in investigating cases. We give it when it is requested. But do you realize that in the first half of this fiscal year there were something over 3,000 prosecutions for violation of the Selective Service Act.

Mr. O'NEAL. That does not require a probation officer, does it?

Mr. CHANDLER. It certainly does, and they have been of very great help in that connection.

Mr. O'NEAL. In investigating the surroundings?

Mr. CHANDLER. In investigating the offenders and endeavoring to persuade them to accept service.

Mr. O'NEAL. Does the Selective Service, or the Army and Navy, have anything to do with that?

Mr. CHANDLER. The Selective Service has no force for that purpose at all. The Army has no force. The Federal Bureau of Investigation does investigate Selective Service cases for the purpose of finding out whether there have been violations.

Mr. O'NEAL. When does the probation system of the Federal courts come into operation on the question of selective service, or something of that kind?

Mr. CHANDLER. It comes into operation at different periods in different districts. In a certain proportion of the districts, as soon as a violation of the Selective Service Act is reported to the United States attorney he calls in the probation officer and asks his cooperation in getting in touch with the alleged violator, finding out what the facts are, what has led him to take the course the he is taking and persuading him, if possible, to see his duty and to join the ranks. A substantial number of apparent violators are doing that.

NUMBER OF PERSONS ON PROBATION

Mr. O'NEAL. Do you know how many you have on probation now whose sentences have been probated?

Mr. CHANDLER. Something like 29,000.

Mr. CHAPPELL. I think that I can give the precise figures.

Mr. O'NEAL. In 1943, what is the last figure that you have?

Mr. CHAPPELL. January 30, 1943, we had 26,114.

Mr. O'NEAL. How many did you have a year before that?

Mr. CHAPPELL. 28,591 on July 1, 1942.

Mr. O'NEAL. And the figure before that?

Mr. CHAPPELL. 29,454 on July 1, 1941.

Mr. O'NEAL. When a man goes in the service, does he cease to be under probation?

Mr. CHAPPELL. Then we release him. The Army will not accept him when he is under the supervision of the civil authorities. We have had an increase of 22 percent in juvenile offenders before the Federal courts. That is not a large group, however.

Mr. HENDRICKS. I would like to ask a question. I notice under your present number of parole officers your case load is 126, and you estimate with the 15 additional it would be 119. You say that you can get along with 5 additional. I want to ask you, of course the case load is not actually balanced. Every man does not have the same number of cases, does he?

Mr. CHANDLER. That is right. As far as we can, if it appears the case load in a particular district is very high for a period of time and it is indicated that that condition is permanent, naturally we take that into account.

Mr. HENDRICKS. What do you do in a case like that; add another parole officer?

Mr. CHANDLER. We authorize an additional officer as soon as we are financially in a position to do so.

Mr. HENDRICKS. What do you do in a district where you have very few?

Mr. CHAPPELL. We abolished two positions last year.

Mr. HENDRICKS. Do you have any way of combining two districts?

Mr. CHANDLER. We cannot do that very well, but if we are able to bring about the appointment of a probation officer who is not needed in one district, in another district where an officer is needed, we do it.

Mr. HENDRICKS. Let me ask you another question along that line. I notice from the statement given Mr. Chappell that over a period of 3 years now your number of parolees have decreased and January 3 you show the number that you have had in 3 years.

Mr. CHAPPELL. That is correct.

Mr. HENDRICKS. Why would we need 5 additional?

Mr. CHAPPELL. Because the case loads have always been too high.

Mr. HENDRICKS. They have been able to handle them, have they not?

Mr. CHAPPELL. But not as thoroughly as they should be.

Mr. HENDRICKS. But they have been able to handle them with a fair degree of efficiency?

Mr. CHAPPELL. Yes.

Mr. HENDRICKS. You can see what we are up against in this problem. Everybody is howling for a cut in all expenses where we can do it. And where somebody has been handling a job efficiently we have to decide whether we want to give you five additional parole officers with a decrease in case load, or whether we should give you what you have.

Mr. CHAPPELL. We will do the best that we can.

Mr. JOHNSON. Where do you expect to put these five?

Mr. CHAPPELL. The Eastern District of Louisiana is one place. They have had a great many people going there for work in defense industries such as the boat-building industry, who will have to be supervised in that district. I have a list of fifteen districts. I do not know which five districts we would select from that group.

Mr. HENDRICKS. The reason I brought out the question to save the amount of money that you would have to appropriate for 5 additional parole officers, it looks to me from the excess amount of legal work that the judges have to do we are going to have to provide some additional law clerks, and where we can cut we should do so.

Mr. CHANDLER. I will say very frankly to this committee we believe that it would be advisable, if you have the money, to provide this additional number of officers. I do lay stress on the economy of probation as compared with imprisonment as a method of treatment. The cost of maintaining a man in prison for a day, in a Federal institution, is estimated at \$1.43. The daily cost of probation is 9 cents, in addition to which the man is able to work and to support his family.

Mr. O'NEAL. How many probation officers have you?

Mr. CHAPPELL. Two hundred and seventy-one.

Mr. JOHNSON. Do these parole officers take charge of a parolee?

Mr. CHANDLER. Yes; they are called probation officers.

Mr. JOHNSON. The parolees are required to report to the probation officer, are they not?

Mr. CHANDLER. They are required to report to him, but the probation officer if he does a good job, goes to see them because he can discover so much more if he sees the man in his home, or if the man is out, if he sees his wife, than if his contact is confined to office visits.

Mr. JOHNSON. How often does he go to see him?

Mr. CHANDLER. Our aim is once a month. We consider that is necessary or good practice. Now, that cannot always be done because of transportation difficulties and the size of the case load.

Mr. JOHNSON. Is that policy being carried out, the probation officers calling personally upon these parolees once a month?

Mr. CHANDLER. Yes. Now, what the officer does in any particular court you will realize is dependent upon the direct instructions of the court, also I know that in some districts the case load, and particularly at the present time, the difficulties of transportation, make calls as often as once a month impossible. That is the standard and we recommend that it be approached as nearly as possible.

It is really necessary and I will tell you why. You might think of a probation officer as making these calls for the purpose of inspecting the conduct of the person under supervision. That is really not the case. The probation officer who properly does his work, while of course he reports any infraction of duty by the person under supervision, really comes to be looked upon by that person as a kind of counselor and friend. The person under supervision knows that if he has a personal problem, such as a child who is not doing so well as he might and he wants to talk to somebody about it, if he has troubles himself, the probation officer is available. I can tell you of probation officers who when the men under their charge have been under stress, have stayed up all night with them in order to wrestle with them mentally and spiritually and persuade them to keep on the right track. These contacts are really very important.

Mr. JOHNSON. We better change his qualifications to make a minister of the probation officer.

Mr. CHANDLER. The right kind of minister is all right.

QUALIFICATION REQUISITE FOR PROBATION WORK

Mr. JOHNSON. This idea of qualification, they must be a college graduate and have 2 years of successful experience. Now, I presume that under that theory Abraham Lincoln could not have been a probation officer, could he?

Mr. CHANDLER. Yes, sir.

Mr. JOHNSON. He was not a graduate of any college.

Mr. CHANDLER. The standard calls for a college education or its equivalent. That provision for equivalence gives the right and the opportunity to a court to consider that a given man has acquired the degree of understanding of which a college education is normally some indication, and therefore to appoint him without a college education.

Mr. JOHNSON. I can readily see why you would want to pick a college graduate as being necessary for some positions, but where you are dealing in a case of trying to rehabilitate a man who has violated the law I should think that a college education would not at all be necessary and it seems to me as I sit here and think I can think of many people that have been of vast value to a community, not as a probation officer, simply as a citizen trying to help people along, and probably have not looked at a picture of a college but have a human understanding and can do much better work.

Mr. CHANDLER. That is a very valuable quality. But suppose you have a man who has that human understanding and whose faculties are disciplined by education. Is the latter not worth something? Suppose you have a person who is mentally abnormal. You want to get help in regard to him. You would normally go to somebody who had a pretty broad education fortified by professional training. Now, believe me, the man who shows a tendency toward criminal conduct has a peculiar bent in his make-up which requires understanding.

Now, of course, human sympathy is an important element, but it can be found among persons who have this training as well as among those who do not. Add to this, that the number of persons who are committing crime is now in the thousands. There is some analogy in the doctor who has had a good many cases of nose and throat trouble and who has made a specialty of that; he can help you more with that trouble than the general physician. So, when it comes to getting advice for persons who have a tendency toward delinquency, we cannot disregard the value of study of how that problem can best be met, and experience in dealing with such matters.

Mr. HENDRICKS. If the court appoints someone with a college education, he would probably try to appoint someone who had made a special study of sociology and psychology.

Let me ask you this question in regard to Mr. Johnson's proposal there. Do you have some probation officers who do not have a college education?

Mr. CHANDLER. Yes, sir; absolutely.

Mr. JOHNSON of Indiana. That is what I am getting to.

Mr. CHANDLER. Yes, sir. Some of the judges will write to us, "We are thinking of appointing so and so; here is his record. What do you think about it?" And if we do not think it is very promising we tell him so; but the appointment rests with the judge.

Mr. JOHNSON of Indiana. How many of them do not have a college education?

Mr. CHANDLER. I have a table here of the distribution of the 53 probabtion officers who were appointed during 1942.

One had less than a high-school education; 8 were high-school graduates; 6 had some college training, but less than a full course; 20 had a bachelor's degree; 11 had a bachelor's degree plus some graduate study; 6 had a master's degree; 1 had a doctor's degree.

Forty-four of the 53 officers—all of whom, mind you, were appointed by the court, not by me—44 of the 53 had some college training, and 38 of the 53 had college degrees.

Mr. JOHNSON of Indiana. That is the break-down for 1942. I was asking for the over-all.

Mr. CHANDLER. I do not know that I brought it with me. I will be glad to put it in the record.

Mr. JOHNSON of Indiana. I do not care whether it is on the record or not.

Mr. O'NEAL. Could you insert that in the record?

Mr. CHANDLER. Yes, sir.

(The matter referred to is as follows:)

Distribution of 290 probation officers in the Federal service of Dec. 31, 1942, by education at time of entering on duty

	<i>Numbe</i>
Graduate, eighth grade.....	11
Some high school.....	¹ 13
High-school graduate.....	29
Some college training.....	² 72
Bachelor's degree.....	104
Bachelor's degree plus graduate study.....	27
Master's degree.....	32
Doctor's degree.....	2
Total.....	290

¹ Average attendance, 2.1 years.

² Average attendance, 2.2 years.

At the time of appointment, 165 of the 290 probation officers had achieved college graduation or better (237 had some college training).

Thirty-four of the 165 college graduates had advanced degrees.

It must be borne in mind that some of the probation officers have continued their education following their appointment.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I would like to ask about those 15 additional probation officers and 10 additional clerks. Could you not get along without these additional probation officers?

RELATIVE NEED FOR ADDITIONAL OFFICERS AND CLERKS

Mr. CHANDLER. If in your wisdom you omit the appropriation for additional officers, we shall understand, and we can get along with reasonable efficiency. There is no question about it. But I hope you will see your way clear to provide for the additional clerks, for this reason: Presentence investigation, whatever you may think of it, is a service which the courts are demanding more and more. In the first half of this fiscal year something like 7,500 presentence investigations were made. That would mean 15,000 in a year, and my observation, and that of Mr. Chappell, as we have gone about and visited the proba-

tion offices, is that in district after district the office is hampered because the officers do not have sufficient clerical assistance.

Mr. O'NEAL. Do you want him to state where those clerks should be placed?

Mr. ANDERSEN of Minnesota. Yes; I would like to get some definite information.

Mr. O'NEAL. Can you supply that for the record?

Mr. CHANDLER. We will supply that.

(The statement requested is as follows:)

PROBABLE PLACEMENT OF 10 ADDITIONAL CLERK-STENOGRAPHERS REQUESTED FOR 1944,
SUBJECT TO CONDITIONS OBTAINING WHENEVER SUCH PLACEMENTS ARE MADE

Alabama, middle.	Ohio, southern.
California, northern.	South Carolina, eastern.
California, southern.	Tennessee, eastern.
Iowa, southern.	Washington, western.
New York, eastern.	Wisconsin, eastern.

FEEES OF COMMISSIONERS, UNITED STATES COURTS

Mr. O'NEAL. We now come to the item for fees of Commissioners, United States courts. The amount that you had appropriated for 1943 was \$350,000, and you are asking for the same amount for 1944, which is entirely, as I understand it, for the fees of the United States Commissioners and the Conciliation Commissioners. Please insert page 59 of the justifications in the record.

Regular appropriation, 1943 act-----	\$350, 000
Supplemental appropriations for 1943-----	-----
Total appropriations, 1943-----	350, 000
Deduct nonrecurring and other items not required in 1944-----	-----
Base for 1944-----	350, 000
Increases requested for 1944-----	-----
Total estimate or appropriation for 1944-----	350, 000

How much has that amounted to, for the present fiscal year, up to your latest figure?

Mr. JACKSON. \$110,969.

Mr. O'NEAL. Do you anticipate that it will be greater in the latter part of the year, and, if so, why?

Mr. WHITEHURST. There is an indicated deficiency because the 10-percent increase in lieu of overtime pay has been held to apply to the Commissioners.

Mr. O'NEAL. If for seven-twelfths of the year you can only spend \$110,000, why do you anticipate that you will use \$350,000?

Mr. CHANDLER. They are expenditures. They are not obligations. Experience shows that the accounts of the Commissioners for services rendered come in very slowly, sometimes 30, 60, or 90 days after the rendering of the service.

Mr. O'NEAL. Do they come in uniformly throughout the year, or is it greater in the spring?

Mr. WHITEHURST. Commissioners have a year after the service is rendered in which to file their accounts under the provisions of title 28, section 599 as of the United States Code.

Mr. O'NEAL. But your figure for 1943 is less than one-third of what you are asking for, and yet seven-twelfths of 1943 has elapsed.

Mr. CHANDLER. But those are expenditures; and we shall be having to make expenditures under the 1943 appropriation for some time after the expiration of the year for the purpose of meeting obligations.

Mr. O'NEAL. What do you estimate that you will spend in the final year 1943 on this item for fees of commissioners?

Mr. CHANDLER. We have secured for 1942 a deficiency appropriation of \$15,000; so that our actual expenses for 1942, we now estimate at \$365,000.

Mr. O'NEAL. How much of the \$350,000 that you are asking for do you anticipate you will use?

Mr. JACKSON. All of it, Mr. Chairman; and there is a very great possibility that we will need more in 1944 if the overtime pay continues.

Mr. O'NEAL. Can you give us some explanation as to why you are going to need \$110,969 more?

Mr. JACKSON. Yes, sir. The reason for that is this: By law the accounts of United States commissioners must be preaudited by the General Accounting Office before we can settle them. As a result, an account may be 3 months old before they receive the pay. So there is a lag of probably 3 months in this expenditure figure. This expenditure figure of \$110,969 probably represents about 4 months' expenditures.

Mr. O'NEAL. Is the number of bankruptcies uniform now with past years? Are these conciliation cases about uniform during this war period as compared with what they were before?

Mr. JACKSON. No, sir. In the fiscal year 1942 the expenditures on account of fees of conciliation commissioners increased substantially, and those expenditures were the real reason for the necessity for a deficiency appropriation for the fiscal year 1942.

Mr. O'NEAL. Is that business keeping up during this present year in the same quantity?

Mr. JACKSON. As best we can tell at this time, it is continuing along. We do not know whether it will reach the figure for 1942 or not. The total amount expended for the fiscal year 1942 for fees of conciliation commissioners was approximately \$71,000, which exceeded the allotment in that year by \$15,000. That was the amount of the deficiency that we asked the Congress to give us.

FEES OF UNITED STATES COMMISSIONERS

Mr. O'NEAL. The amount requested for fees of United States Commissioners, the major part of this estimate, is \$275,000. That represents what type of work?

Mr. JACKSON. Those fees are paid to United States Commissioners, who are primarily committing magistrates. They hold the preliminary hearings, and if they determine that there is probable cause to require the accused to answer charges before the court, they bind the defendant over to the United States district court for trial. As you understand, we have two classes of Commissioners, and two separate allotments in this appropriation. The \$275,000 is the money that we need for the fees of United States Commissioners who are primarily

committing magistrates, and who hold the preliminary hearings before the cases reach the district court.

Mr. JOHNSON of Indiana. Are the Commissioners used as much now as they were last year and the year before?

Mr. JACKSON. The fees of the United States Commissioners are running approximately the same each year. The fluctuation in expense has been on account of Conciliation Commissioners appointed under section 75 of the Bankruptcy Act.

Mr. JOHNSON of Indiana. How are those cases coming along in comparison with previous years?

Mr. JACKSON. They increased substantially in 1942. It is really a little too early to tell what our actual expenses under that allotment will be for 1943. But the amount of money paid out for fees of Conciliation Commissioners exceeded our allotment for 1942 by \$15,000, and that was why we asked for a deficiency.

Mr. JOHNSON of Indiana. Is that shown here; that you had a deficiency?

Mr. JACKSON. No, sir. That deficiency was requested after these estimates were prepared.

Mr. WHITEHURST. It has not become a law yet.

Mr. JACKSON. No; it has not. It has only been approved by the House. The deficiency has not been approved by the Senate.

Mr. JOHNSON of Indiana. Do I understand correctly that the farmers cannot file under section 75 after March 4, 1944?

Mr. WHITEHURST. That is correct.

Mr. JOHNSON of Indiana. That law has been amended to that effect?

Mr. WHITEHURST. Yes.

Mr. JACKSON. That provision of the Bankruptcy Act was extended to that date.

FEES OF JURORS, UNITED STATES COURTS

Mr. O'NEAL. We will turn to page 74, the item for fees of jurors, United States courts. The amount you received in 1943 is \$1,940,000, and you are asking for the same amount for 1944. There are no increases.

I would like to ask you what, if any, steps are being taken to effect economies in this item by reducing the number of juror days paid for but not utilized?

Mr. CHANDLER. Not only are steps being taken, but economies are being effected. The actual expenditures for jurors' fees dropped from \$1,983,196 in 1940 to \$1,826,187 in 1941, and to \$1,777,603 in 1942.

Mr. O'NEAL. What was the amount spent for the fiscal year 1943, the latest figure you have?

Mr. CHANDLER. I have a comparison here between the first half of the present fiscal year and the first half of the last fiscal year.

The amount expended in the first half of the present fiscal year was \$688,482, as compared with \$726,914 for the first half of the last fiscal year. Now, we cannot arrive at the expenditures for the full year by taking twice the expenditure for the first half of the year, because the first half of the year includes the summer, during which the courts are in recess. But I will say, Mr. Chairman, that the committee reduced this appropriation last year \$100,000, at our suggestion, from

\$2,040,000, which it had been before, and if you desire to make a further reduction this year of \$100,000—

Mr. O'NEAL. It looks to me, on the basis of those figures, that you would be safe in cutting it down to \$1,400,000.

Mr. CHANDLER. But that is not a correct criterion for the full year, because we do not have half the jury service in the first half of the year.

Mr. O'NEAL. What has been your experience in past years as to what percentage of jury trials occur in the first half of the year and what percentage in the second half of the year?

Mr. WHITEHURST. It is considerably larger in the second half than it is in the first half.

Mr. O'NEAL. What would you say; 10 percent?

Mr. WHITEHURST. During the first half of the fiscal year 1942, up to December 31, 1941, there was spent \$726,914, and the total expenditures for the year were \$1,778,450; so if we subtract \$726,914 from \$1,778,450, it will give us the expenditures for the last half of the fiscal year.

Mr. ANDERSEN of Minnesota. That would make \$1,052,000 for the second half.

Mr. O'NEAL. Yes. Now, let us have a reply to the question I asked you. I asked you what is being done by the courts to save some jurors' fees and traveling expenses.

Mr. CHANDLER. The judicial conference has a committee on the selection of jurors in the Federal courts. The assignment also includes arrangements for handling jurors. Judge Knox, the senior district judge for the southern district of New York, is chairman of the committee. I should be glad to bring over to the next session copies of the report of that committee.

Mr. O'NEAL. Has it had any effect?

Mr. CHANDLER. I think that you can see from this reduction that economies are being effected. Now, those economies come from two sources. In the first place, pretrial procedure, which is being developed more and more in the Federal courts, leads to a larger proportion of settlements. It is somewhat conducive to submission of cases in which there has been a demand for a jury for trial by the court without a jury. For these and other reasons the number of jury trials is going down somewhat.

In reference to the handling of jurors in those cases in which there is a jury trial, the committee recommends and our office has recommended to various courts that they try to make a rather close study in advance of the number of jurors who will be needed, so that they can reduce the number of jurors who are called and do not serve. A substantial economy was effected last year in Detroit in that way. The cost of petit juries in that district dropped from \$47,644.80 in the fiscal year 1941 to \$42,460.60 in 1942. That is a decrease of 11 percent.

Mr. O'NEAL. Has that been called to the attention of the other judges throughout the country?

Mr. CHANDLER. Yes, sir. That is referred to in the report.

Mr. PLOESER. Mr. Chandler, if the same ratio follows out during this year, you will be getting along very well with \$1,680,000, will you not?

Mr. CHANDLER. I think that is right, although that is setting it a little low.

Mr. PLOESER. It would probably make it unnecessary for you to ask for a deficiency appropriation, would it not? Apparently you are going to have a \$260,000 surplus in that appropriation.

Mr. WHITEHURST. We will expend this year, as nearly as we can forecast it now, about \$1,675,000.

Mr. PLOESER. That is what you think it will cost you?

Mr. WHITEHURST. What it will cost us this year.

Mr. PLOESER. But you will save at least \$265,000 this year out of this appropriation?

Mr. WHITEHURST. Yes, sir. It looks that way now.

Mr. PLOESER. If you save \$260,000 this year, then next year, you should have \$100,000 or more too much.

Mr. CHANDLER. You see, this is a non-controllable expenditure by our office, and all I am concerned about is that, if possible, we may avoid the necessity for a deficiency. I would think that it is probable that \$1,680,000 would be sufficient. If I were submitting a figure myself, I would allow a little more leeway, but that is a matter of judgment, and, of course, I can see that that would be a reasonable estimate.

TEXTUAL CORRECTION

Mr. O'NEAL. You have a deletion on page 174 of the bill. It is requested that the citation to section 193, title II of the act of June 6, 1900, be changed from "(28 U. S. C. 9, 557-570, 595, 596)" to "(31 Stat. 362)."

Mr. JACKSON. Mr. Chairman, those are statutory references—

Mr. O'NEAL. It is simply to correct a typographical error in the text?

Mr. JACKSON. That is correct. That reference was in the appropriation text when we took it over from the Department of Justice. It is no longer relevant and we recommend that it be deleted.

MISCELLANEOUS SALARIES, UNITED STATES COURTS

Mr. O'NEAL. On page 175 of the bill we have the item for miscellaneous salaries. I understand that the amount received in 1943 was \$893,100, and the present estimate is \$1,224,880, of which the base is \$871,100. On page 64 of the justifications which we will insert in the record you have listed the increases.

Regular appropriation, 1943 act.....	\$893,100
Supplemental appropriations for 1943.....	-----
Total appropriations, 1943.....	893,100
Deduct nonrecurring and other items not required in 1944: Estimated savings due to delays in filling new positions.....	22,000
Base for 1944.....	871,100
Increases requested for 1944:	
National Park Commissioners.....	\$23,000
Additional cost of within-grade promotions made in fiscal year 1943.....	7,890
Reclassifications with resulting increases in salary.....	100,000
01 Additional personnel.....	219,400
Changes in salary ranges of custodial employees.....	240
Personnel transferred from the appropriation "Salaries, district court, Panama Canal Zone".....	3,250
Total	353,780
Total estimate or appropriation for 1944.....	\$1,224,880

TRANSFER FROM INTERIOR DEPARTMENT

There is a transfer requested, which is \$23,000, to be dropped from the Interior Department estimates and added to "Miscellaneous salaries, United States courts." Suppose you explain to us how that happened, and the necessity for it and the desirability of it. Do you want to discuss this \$23,000 first? It is not in our justifications, but I thought we would emphasize that now and then take up the further increases.

Mr. CHANDLER. Yes, sir.

Mr. O'NEAL. Gentlemen, you understand this is not in our justifications. This came by way of a letter from Mr. Chandler.

NATIONAL PARK COMMISSIONERS

Mr. CHANDLER. Among the commissioners having the general powers of United States commissioners, but compensated by salaries and not by fees, are the National Park commissioners, of whom there are approximately 15. These are appointed by the district courts having geographical jurisdiction of the areas in which the parks are situated. They have been held to be officers of the courts, wholly judicial, to the same extent as any other United States commissioners. At the same time, because their services are rendered in the parks, the practice was instituted years ago of providing for their compensation in the appropriation for the National Park Service, which is in the Department of the Interior.

Mr. JOHNSON of Indiana. They are on a salary instead?

Mr. CHANDLER. They are receiving salaries.

Mr. O'NEAL. Have you had any supervision over them in the past, Mr. Chandler?

Mr. CHANDLER. Yes, sir.

Mr. JACKSON. The base salary of each of the positions is \$2,000. The actual salaries of the men who will come over to us vary from \$2,000 to \$2,500.

Mr. O'NEAL. There is no increase in personnel in that amount?

Mr. JACKSON. No, sir.

Mr. CHANDLER. There is no increase in personnel.

Mr. JOHNSON of Indiana. How many cases are they actually handling out there?

Mr. CHANDLER. The number of cases they handle is not very large, sir.

Mr. JOHNSON of Indiana. Why should they be different from the ordinary commissioners?

Mr. CHANDLER. I will answer that in this way: In addition to performing the usual duties of United States Commissioners, they are also authorized by law to try cases of violation of park regulations, such as exceeding the speed limit in driving, illegal fishing, illegal hunting, and any violation of the park regulations. It has been considered appropriate, I assume, by the Congress, that in every one of the National Parks which are frequented by large numbers of visitors in the season, there should be a minor judicial officer before whom persons committing violations can be brought. In the district of Mon-

tana, for instance, where there is Glacier National Park which I visited this summer, the nearest United States judge is something like 200 miles away. All I can say is that there has been for years this system, which seems to me a reasonable one, under which there are inferior judicial magistrates in the various national parks.

Mr. O'NEAL. Does he act as prosecuting attorney and magistrate, both?

Mr. CHANDLER. No; he does not act as prosecuting attorney. As a rule, the superintendent of the park or some member of the park staff simply explains the complaint and presents the witnesses and evidence. The practice is much like that in any properly conducted police court.

Now, these officers are exclusively under the control of the courts. It is therefore anomalous that the appropriation should be carried in the budget of the Department of the Interior. Our office has conferred with the Department of the Interior. I first made the suggestion to Secretary Ickes some months ago. I asked him if he did not think it would be more appropriate, in view of the relation of the Commissioners to the courts, that their compensation should be included in the appropriation for the courts. He said he had not thought about it, but that it seemed reasonable to him. He subsequently had a study made by his assistants, and we are united in merely suggesting that that sum be transferred.

Mr. JOHNSON of Indiana. And it will be paid out of what fund?

Mr. CHANDLER. The expense is now paid out of the appropriation for the National Park Service, in the budget of the Department of the Interior. It is proposed to provide for it in the appropriation for miscellaneous salaries of the courts.

Mr. JOHNSON of Indiana. Is that being taken out of their appropriation now?

Mr. CHANDLER. Yes, sir.

Mr. JOHNSON of Indiana. And this figure is the same figure that had been previously appropriated for the National Park Service?

Mr. CHANDLER. That is right; \$23,000.

WITHIN-GRADE PROMOTIONS

Mr. O'NEAL. The first increase requested is for the additional cost of within-grade promotions made in the fiscal year 1943, \$7,890.

Mr. CHANDLER. That is of the same nature, Mr. Chairman, as the like item for the salaries of clerks and probation officers.

RECLASSIFICATIONS

Now, if the committee please, I should be very glad if the committee would pass for the present the item of \$100,000 for reclassifications, because that is an item in which a committee of the judicial conference is interested.

Mr. O'NEAL. Mr. Harvey tells me they will be before the committee Thursday afternoon.

Mr. CHANDLER. And the next item is the item for law clerks.

Mr. O'NEAL. That is the \$219,400 item?

Mr. CHANDLER. Yes, sir; and that is an item which will be presented, if you are willing, by the committee of which Judge Knox of the southern district of New York is chairman.

Mr. O'NEAL. Very well; we will defer those items until they come before the committee.

CHANGES IN SALARY RANGES OF CUSTODIAL EMPLOYEES

The next item is "Changes in salary ranges of custodial employees," an increase of \$240.

Mr. CHANDLER. There are very few custodial employees who come under our office, but there are a few who are concerned with the maintenance of the courthouses of the United States District Court for the District of Columbia and the United States Court of Appeals for the District of Columbia. That sum of \$240 is the sum that was necessary to raise their salaries to the scale set by an act passed last year for custodial employees of the executive branch.

PERSONNEL FOR EMERGENCY COURT OF APPEALS

Mr. CHANDLER. Mr. Chairman, part of the additional personnel provided for in the item of \$219,400 is personnel for the Emergency Court of Appeals. As shown on page 65 of the justifications, \$8,800 of the total sum of \$219,400 asked for additional personnel, is to provide for payment of the salaries of the clerical staff of the Emergency Court of Appeals, the court which was provided for by the Price Control Act.

Mr. O'NEAL. In other words, this is a new court that has been set up and the clerical help has not been appropriated for heretofore?

Mr. CHANDLER. That is right.

Mr. O'NEAL. And this is in line with the usual number of employees?

Mr. CHANDLER. That is right; yes, sir.

PERSONNEL TRANSFERRED FROM THE APPROPRIATION "SALARIES, DISTRICT COURT, PANAMA CANAL ZONE"

Mr. O'NEAL. The next increase is for personnel transferred from the appropriation "Salaries, district court, Panama Canal Zone," \$3,250.

Mr. CHANDLER. That is right; and if you do not wish to transfer that appropriation for another year, that will go out, and would go into the appropriation for the Zone.

CHANGE IN LANGUAGE

Mr. O'NEAL. You have some new language on page 175 of the bill with reference to the salaries of secretaries and clerks in the Panama Canal Zone. Will you explain the necessity for that new language, please?

Mr. CHANDLER. It is requested that the text of the appropriation be changed to read as follows:

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, \$1,201,880: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the sal-

aries of secretaries, exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall not exceed those of the principal clerical grade and the salaries of law clerks shall correspond with those of the assistant professional grade: *Provided further*, That none of this fund shall be used for the pay of a law clerk appointed by a district judge unless the senior circuit judge of the circuit (the District of Columbia being considered a circuit) in which the district where the clerk is needed is situated shall certify to the necessity of the appointment.

Both of those changes in the text are designed to give effect to the request for the reclassification of secretaries and law clerks of judges and to the provision for an additional number of law clerks.

MR. O'NEAL. Will they testify as to that when they come before the committee?

MR. CHANDLER. They will.

MR. WHITEHURST. May I add, Mr. Chairman, that that provision is designed only to make sure that the differential provided for employees of the Canal Zone is preserved in the consolidation.

MR. JOHNSON of Indiana. Does this give the Administrative Office greater latitude and greater discretion in fixing salaries than they have under the present law?

MR. CHANDLER. It does not give the Office greater discretion, except that it may move within one higher grade. Frankly, it is directly designed to provide for higher compensation for secretaries and law clerks for judges.

MR. JOHNSON of Indiana. I notice it is provided that the salaries of secretaries and law clerks shall be fixed without regard to the Classification Act of 1923.

MR. CHANDLER. That, I might say, was language which was inserted in the bill last year, I am informed, at the instance of Congressman Ramspeck, chairman of the Civil Service Committee. It has always been recognized that the judicial employees are not under the Classification Act, and the Congressman suggested that language should be used to make it plain that the employees were not under the Classification Act.

MR. JOHNSON of Indiana. But I notice that you have repeatedly asked for increases so as to take employees from under the Classification Act. In other words, where the Classification Act would raise the salary, then you want that; and where the Classification Act would not permit the salary to go as high as you want it, then you want them to come out from under the Classification Act.

MR. CHANDLER. No; that is not our purpose at all. The provision under consideration is without regard to the Classification Act. If we were under the Classification Act, of course, we should go before the Civil Service Commission and ask the Commission to authorize the classification of all these employees. But the court employees are not now and have not been under the Classification Act.

MR. JOHNSON of Indiana. Do you want that language out? You say it is not your language. Do you want it out of the bill?

MR. CHANDLER. I do not care. Really, it is a matter of indifference to me whether you take it out or leave it in. I had thought that inasmuch as it was inserted last year by Congressman Ramspeck for a particular purpose, if it is omitted the omission might be questioned by him. But as far as this office is concerned, if it should be the judgment of the committee to take it out, I have no objection.

LAW CLERKS

Mr. O'NEAL. You are deleting the provision for not to exceed three law clerks. That is presuming that what the judges are coming up here for will be allowed; is that correct?

Mr. WHITEHURST. That is correct.

Mr. O'NEAL. And if it is not allowed, there is no necessity for taking it out?

Mr. WHITEHURST. That is correct.

MISCELLANEOUS EXPENSES, UNITED STATES COURTS

Mr. O'NEAL. We will turn now to page 177 of the bill, and page 66 of the justifications, to the item for "Miscellaneous expenses, United States Courts, other than salaries." The amount of the appropriation for 1943 was \$307,200, and this estimate is \$419,900. We will be glad to have you make some comment on that estimate. Please insert page 66 of the justifications in the record.

Regular appropriation, 1943 act	\$307,200
Supplemental appropriations for 1943	
Total appropriations, 1943	307,200
Deduct nonrecurring and other items not required in 1944	
Base for 1944	307,200
Increases requested for 1944:	
05 Rents and utility services	\$400
07 Other contractual services	3,500
Total	3,900
Transferred from "Salaries and expenses of clerks, United States courts"	50,800
Transferred from "Probation system, United States courts"	58,000
Total estimate or appropriation for 1944	419,900

Mr. CHANDLER. As is shown on page 66 of the justifications, we ask in the estimate for two small increases aggregating \$3,900. I am now in a position to say that I withdraw those.

Mr. O'NEAL. Thank you.

Mr. CHANDLER. I would like to be permitted to state just what they were intended to cover.

Mr. O'NEAL. That is all right. As long as you withdraw a request, you can make as long a statement as you want to.

Mr. CHANDLER. As you know, it is impossible to secure new typewriters at the present time, and the sum of \$400 was included as an estimate of the probable additional cost of renting typewriters in cases where new ones could not be secured. We included an item of \$3,500 for contractual services, very largely because we considered that that would be necessary for repairs of typewriters as they became older, to keep them going.

On the other hand, we do find that there are certain materials which, even though we have the money, we cannot buy, and we believe that if the committee will continue the appropriation in the same amount as last year, it will be sufficient.

There was appropriated for 1943, \$307,200. The obligations to February 23 were \$202,000, leaving a balance of a little over \$105,000. You

can see that on that basis we probably will use up the appropriation during 1943, so that I am sure that an equal amount should be appropriated for the next year.

Mr. PLOESER. Is there any way of making any reductions in any of these housekeeping expenses?

Mr. CHANDLER. I would like at this point, Mr. Chairman, to introduce Mr. Holland, who is the service officer of the administrative office in charge of purchases.

EQUIPMENT

Mr. O'NEAL. I would like to ask you about the break-down Mr. Ploeser was asking you about in reference to the \$204,150 for equipment. Is that for rental of equipment?

Mr. HOLLAND. That is for the purchase of equipment, consisting principally of office machines and lawbooks. The break-down of the estimate is as follows:

Approximately \$32,000 for office devices, which would be such needed equipment as we can buy in the way of typewriters, duplicating machines, copyholders, adding machines, filing equipment, and so forth.

Mr. O'NEAL. In reference to the item of \$32,000, we should remember that there is a war going on. Why can they not get along with what they have in the way of things of that sort? It seems to me that this is the time when people should be willing to use old materials and old equipment.

Mr. HOLLAND. We are doing that as far as possible.

Mr. O'NEAL. What kind of office devices are included that are considered necessary by way of emergency or necessity?

Mr. HOLLAND. They are principally miscellaneous office devices. There are some items which can still be bought and which are needed for replacement from time to time.

Mr. O'NEAL. Has the amount of \$32,000 been a fairly uniform figure?

Mr. HOLLAND. That \$32,000 is somewhat of a reduction. It usually runs between \$40,000 and \$50,000 in normal times.

Mr. PLOESER. What will you expend the \$32,000 for? Will you name the items?

Mr. HOLLAND. It is difficult right now to name them. Normally this amount is spent for typewriters, adding machines, and so forth.

Mr. PLOESER. But you cannot buy typewriters now, can you?

Mr. HOLLAND. Very few. The only typewriters we can buy are used typewriters, through the Procurement Division, under arrangements with the War Production Board and the Bureau of the Budget.

Mr. O'NEAL. But you cannot purchase typewriters?

Mr. HOLLAND. Only used ones.

Mr. O'NEAL. That should certainly reduce that amount.

Mr. HOLLAND. We have already reduced it somewhat. I do not know whether we shall need the entire \$32,000.

Mr. PLOESER. What else is included besides typewriters?

Mr. HOLLAND. Frankly, it is anyone's guess what we shall be able to buy. I would like to say we are being as economical in the purchase and use of our equipment as we can be.

We have surveyed our field offices to determine what offices might release machines for transfer to other offices where they might be

more urgently needed. We have bought only a few machines in the last year or so, and those machines were bought through the Procurement Division. All the rest of our typewriter requirements have been taken care of by transfer.

But some of the machines are pretty old. So long as they keep going we will use them, but if they get to the point where they cannot be repaired satisfactorily then we will have to buy machines through the Procurement Division.

Mr. O'NEAL. Will you give us a further itemization?

Mr. HOLLAND. Under lawbooks——

Mr. PLOESER. What is the balance of the \$32,000 for? Is that all for typewriters?

Mr. HOLLAND. Principally typewriters, adding machines, small office devices, and some filing equipment. That covers the requirements of all of the offices of the circuit and district courts, excluding probation offices.

Mr. O'NEAL. That is not for supplies and materials like letter-heads, is it?

Mr. HOLLAND. No, sir. That comes under the classification 0-8.

Mr. O'NEAL. Will you proceed with your itemization?

Mr. HOLLAND. The \$32,000 covers all of the courts throughout the country.

Mr. ANDERSEN. How many courts would that be?

Mr. HOLLAND. That would include 85 district courts.

Mr. WHITEHURST. It would also include 11 circuit courts of appeals and the Territorial courts, including those at Alaska, Puerto Rico, the Virgin Islands, Hawaii, and the Canal Zone.

There are, all told, 93 district and Territorial courts and 11 circuit courts of appeal.

Mr. CHANDER. Of course, some of these courts have more than one office.

Mr. HOLLAND. Many of the districts have four or five offices within a district.

Mr. O'NEAL. Will you proceed with the break-down?

PURCHASE OF LAWBOOKS

Mr. HOLLAND. There will be an item of \$150,800 for lawbooks for judges' libraries and for the libraries of the circuit courts of appeals. That is divided between what we call continuations and accessions. Continuations are the books that are necessary to keep the sets of books in the judges' libraries on a current basis. That includes new reports, as they are issued, supplements, digests, and so forth.

Mr. PLOESER. The book item is how large?

Mr. HOLLAND. Approximately \$150,000.

Mr. CHANDLER. What was the continuation item?

Mr. HOLLAND. We estimate that at \$88,000.

Mr. PLOESER. The \$88,000 is a part of the \$150,000?

Mr. CHANDLER. Yes; the \$88,000 enables us to keep the sets going. The amount of \$62,800 will be for accessions, for new books for the judges.

Mr. O'NEAL. That is out of the \$150,000?

Mr. HOLLAND. Then, in the consolidation of miscellaneous expense items from the appropriations for clerks and probation officers, there has been transferred to this appropriation estimate an item of \$2,750 for equipment for clerks' offices, carried formerly in the appropriation for salaries and expenses of clerks. For probation officers there is an amount of \$18,600 carried into the general expense appropriation from the appropriation for the probation service. That makes a total for equipment of \$204,150.

Mr. PLOESER. What items of expense make up the \$18,600?

Mr. HOLLAND. Those are office devices and equipment for probation officers.

Mr. O'NEAL. Including typewriters?

Mr. HOLLAND. Yes, sir.

Mr. PLOESER. Then that is another item for typewriters?

Mr. HOLLAND. That is right.

Mr. PLOESER. Why is there so much more than for clerks? Are there many more of them?

Mr. HOLLAND. There is a peculiar situation which has grown up with reference to these appropriations. The clerks' typewriters and practically all of their equipment has been paid for out of the appropriation "Miscellaneous expenses, United States courts" for which we have submitted the equipment estimate of \$32,000, of which we have been speaking. The \$2,750 item, which is a very small item for equipment for all of the clerks' offices, was carried for the purpose, as nearly as I can find out—and the history of it goes beyond my time—of buying office furnishings and other items of that nature, when they are required by clerks located in quarters not maintained by the Post Office Department or the Public Buildings Administration. Furniture for the clerk's office of the District Court for the District of Columbia would come out of this item of \$2,750. The expenditures have varied quite substantially from year to year.

Mr. PLOESER. What have they been for the first portion of the present fiscal year?

Mr. HOLLAND. I think there has been very little spent in the current fiscal year—\$337.

Mr. PLOESER. Then you have about \$2,400 left?

Mr. HOLLAND. We have about that amount left under that item.

Mr. PLOESER. Why could we not cut off \$2,000?

Mr. HOLLAND. Probably it really would not hurt us.

SUPPLIES AND MATERIALS

Mr. O'NEAL. Under the item for supplies and materials you have an estimate of \$67,800.

What is that?

Mr. HOLLAND. That is for stationery supplies, such as paper, ink, pencils, and so forth.

OTHER CONTRACTUAL SERVICES

Mr. O'NEAL. You also have an item of \$20,000 for other contractual services. That is an increase of \$3,500.

Mr. HOLLAND. That is an increase which Mr. Chandler said will be dropped. This amount and probably more will be needed for the

repair and maintenance of typewriters and other equipment but with the restrictions on the purchase of equipment we believe that this can be absorbed in our estimate under the classification 09, Equipment.

COMMUNICATION SERVICES

MR. O'NEAL. For communication services you have an estimate of \$117,900.

How much has been spent for that during this fiscal year up to date? Can you tell us how that expenditure is running? What does that \$117,900 include?

MR. HOLLAND. That includes telephones, telegraph, and postage for all the circuit and district courts, including the judges, the clerks, and the probation officers. That is a lump item for all field communications.

USE OF LONG DISTANCE TELEPHONES

MR. O'NEAL. What is the policy about using long distance telephone messages? That is greatly abused throughout the Government service, and I was wondering what your policy is, Mr. Chandler.

Is a probation officer allowed, at any time he wants to, to pick up a telephone and call a judge by long distance telephone and charge it to this appropriation?

MR. CHANDLER. We send communications from time to time to the clerks and probation officers asking that both use care in the matter of long distance telephone calls. So far as the probation officers are concerned, there are situations in which it is really economical to use the long distance telephone within the area of the officer's responsibility rather than to make a personal trip to that point and back, involving travel expense. We have urged them to practice economy, and my judgment is that both the clerks and the probation officers recognize the necessity for such economy.

MR. PLOESER. Do you not have authority to crack down on any abuses of that sort?

MR. CHANDLER. Surely we do.

MR. PLOESER. Do they submit long distance telephone bills, or put the cost of the calls on their expense account? Does that charge go on the telephone bill?

MR. CHANDLER. Mr. Chappell, our chief of probation, reminds me that each probation office is given a limit upon telephone service, just as it is upon travel. At the beginning of each quarter there is a certain amount allowed.

MR. PLOESER. What is the limit?

MR. CHAPPELL. It varies with the number of probation officers in a district. Some of them use not more than \$5 and some as much as \$50 a month.

MR. PLOESER. Are you talking about an office or an officer?

MR. CHAPPELL. About an office.

MR. PLOESER. That does not give me much of a picture, because I do not know the size of the office. What is it per officer?

MR. CHAPPELL. It may run up to \$10 a month, although some of them use not more than \$2.

MR. PLOESER. Per month or per officer?

MR. CHAPPELL. Per officer.

TRANSFERS FROM OTHER APPROPRIATIONS

Mr. O'NEAL. Under your item for increases requested, there is provision for a transfer from "Salaries and expenses of clerks, United States courts," the amount of \$50,800, and there is also an item of transfer from "Probation system, United States courts" of \$58,000.

Will you give us a statement about those transfers and tell us why they are requested?

Mr. CHANDLER. The reason for the transfer is that it is a part of the policy of separating the appropriation for salaries from the appropriation for expenses.

As to the amounts, I will ask Mr. Holland to continue his explanation.

Mr. HOLLAND. Heretofore we have had an appropriation for salaries and expenses for clerks of the United States courts and for salaries and expenses of probation officers of the United States courts. This year, as the appropriations are set up, we have a salary appropriation only for clerks and a salary appropriation only for probation officers, and we are adding to this appropriation for miscellaneous expenses a sum equal to the sums which have previously been appropriated for expenses of clerks and probation officers.

Mr. PLOESER. Let me ask you a further question on the subject of the \$58,000 for probation officers.

Will you give us an explanation of that?

Mr. HOLLAND. There is an item for equipment for probation offices of \$18,500.

Mr. CHANDLER. There are two sums shown on page 66 of the justification, one for \$50,800 transferred from "Salaries and expenses of clerks," and the other \$58,000 transferred from "Probation system, United States courts," for expenses of the probation system. That is what you are interested in?

Mr. O'NEAL. We are interested in that, but Mr. Ploeser was asking you about your break-down of the \$18,500.

Mr. HOLLAND. I can give you a break-down of that.

(The following is in analysis by allotments of the estimate for miscellaneous expenses, United States courts, 1944:)

Estimate of miscellaneous expenses, 1944

	Allotments formerly carried in miscellaneous expenses	Clerks of courts	Probation system	Increases, 1944	Total
BY OBJECTS					
Transportation of things.....	\$5,500	\$500	\$1,000	-----	\$7,000
Communications service.....	49,900	41,000	24,000	-----	117,900
Rents and utility services.....	2,000	350	300	-----	3,050
Other contractual services.....	12,000	2,900	1,600	\$400	20,000
Supplies and materials.....	55,000	300	12,500	-----	67,800
Equipment.....	182,800	2,750	18,600	-----	204,150
Total.....	307,200	50,800	58,000	3,900	419,900

Mr. O'NEAL. And then explain the two increases.

Mr. HOLLAND. Mr. Chandler has withdrawn those increases.

Under the clerks' appropriation we have for transportation of things, \$500. This is the amount we have transferred from the appropriation for "Salaries and expenses of clerks" into the general miscellaneous expense appropriation.

Then there is \$14,000 for communications, and \$350 for rents and utility services.

Mr. PLOESER. Communications includes telephones?

Mr. HOLLAND. Telephones, telegrams, and postage.

Mr. WHITEHURST. That is just for clerks of courts.

Mr. HOLLAND. For clerks of circuit courts of appeals and clerks of district courts.

Mr. PLOESER. Is it not possible to reduce that amount considerably?

Mr. HOLLAND. I do not believe so. That item has run fairly consistently for many years. A clerk does a great deal of business over the telephone.

Mr. PLOESER. You mean over the long-distance telephone?

Mr. HOLLAND. He will have to do some long-distance telephoning, depending somewhat on the set-up of his district. If he has only one office the long-distance calls will be very few.

Mr. CHANDLER. If the clerk has to communicate with a deputy at a branch office, it may be a question as to whether he will go there or communicate. If there is sufficient time to handle the matter by mail then he should write. But there are frequently situations in which the use of the telephone is necessary, and will save the time and greater expense of travel. All I can say is that from time to time we admonish the clerks to be economical.

Mr. O'NEAL. Will you explain the item for \$58,000?

Mr. HOLLAND. Under the item "Other contractual services," there is an amount of \$2,900, and for supplies and materials, \$300.

That item also is misleading, because in the past practically all of the clerks' supplies and materials have been bought out of the appropriation "Miscellaneous expenses, United States courts."

Then the final figure under the break-down is \$2,750 for equipment, which we have already discussed.

Mr. PLOESER. Can we not take \$2,000 off of that?

Mr. HOLLAND. That is your prerogative.

Mr. PLOESER. You agree that it would not hurt?

Mr. HOLLAND. I think it would not.

Mr. O'NEAL. You may proceed with your statement.

Mr. HOLLAND. For probation officers under "Transportation of things" we have \$1,000; for communication services, \$2,400; for rents and utilities, \$300; and for other contractual services, \$1,600. We also have for supplies and materials, \$12,500 and for equipment \$18,600.

Mr. O'NEAL. By equipment you mean typewriters for the most part?

Mr. HOLLAND. That is right, for probation officers.

Mr. O'NEAL. Since new typewriters cannot be bought at this time, why can they not get along on what they have?

Mr. HOLLAND. I can give you an illustration to show why, even with the restrictions on the purchase of equipment, money should be

left in the equipment item. We make good use of it. Take the photocopying machines.

There are in some districts huge quantities of copying work, and help is very hard to get. We can, with a small expenditure, buy a photocopying machine, which will in a very short time pay for itself, and in some instances eliminate the necessity of providing another clerk.

Mr. O'NEAL. There are no new typewriters being bought at the Capitol. In our appropriation bill that was completely eliminated, so far as the legislative establishment is concerned.

Mr. PLOESER. How many offices are you talking about when you speak of the photocopying machines?

Mr. HOLLAND. I give that merely as an illustration. I do not say that that would account for any very substantial amount, probably \$1,000 or \$1,500. That depends on what we can get. It so happens that we can buy such machines. They are not elaborate, but they will help.

Mr. CHANDLER. In connection with the matter of typewriters, you, I think, will realize that there are three new judges just provided for by acts of Congress, and they will have to have equipment. They will have to have typewriters, and if we have to buy some second-hand typewriters, which is the only thing we can get, I do not think we are extravagant.

WEDNESDAY, MARCH 3, 1943.

TRAVELING EXPENSES, UNITED STATES COURTS

Mr. O'NEAL. Gentlemen, we will start with traveling expenses, page 179 of the bill, and justifications, page 70. The amount of appropriations last year were \$567,000, and the amount asked for this year is \$567,000. Page 70 of the justifications will be inserted in the record at this point.

Traveling expenses, United States courts

Regular appropriation, 1943 act-----	\$567, 000
Supplemental appropriations-----	
Total appropriations, 1943-----	567, 000
Deduct nonrecurring and other items not required in 1944: Amount transferred to surplus fund of the Treasury in accordance with Public Law 644-----	24, 411
Base for 1944-----	542, 589
Increases requested for 1944: Restoration of amount transferred to surplus fund of the Treasury in accordance with Public Law 644-----	24, 411
Total estimate or appropriation-----	567, 000

Have you any statement that you would like to make with reference to that?

Mr. CHANDLER. I am glad to make a statement with reference to the actual cost for traveling, and the obligation for traveling thus far this year.

The appropriation was \$567,000, as you have stated. In accordance with a provision which was applicable to a large number of travel

appropriations, the Office was called upon to turn into the Treasury at the very beginning of the year, as a means of reducing the amount actually available, the sum of \$24,411. That left available for expenditures \$542,589.

This estimate was made up, as you know, several months ago and it was deemed wise to ask for the same amount as last year.

I can say to you, if the committee desires to reduce the amount of appropriation to the amount actually available for the current year; namely, \$542,589, or if you want to make a round sum which I would say would be \$540,000, I think that we can keep within it.

Mr. O'NEAL. You do not believe that that would occasion any severe hardship?

Mr. CHANDLER. I do not. I appreciate that the appropriation for traveling expenses of the court is not specifically controllable by our Office, that is, if conditions require judges to travel for the purpose of holding court, they travel, but on the basis of our experience, I should say that \$540,000 would suffice.

Mr. O'NEAL. How much have you spent to date on that?

Mr. CHANDLER. I can say at the present time our obligations to February 23 are \$458,198.

Mr. O'NEAL. And you will have something to go on for the rest of the year?

Mr. CHANDLER. Yes; I should call the committee's attention to one fact that will increase the obligations next year.

There are, as I have pointed out before, to be three new judges; a circuit judge and two district judges. We have found from experience that the travel expenses of the judges average around \$800 a year.

Mr. PLOESER. Per year per judge?

Mr. CHANDLER. Per judge; yes.

Mr. PLOESER. Do they all travel?

Mr. CHANDLER. No. Some of them could not spend nearly that amount, and some spend a good deal more than that.

Mr. PLOESER. What is their per diem average?

Mr. CHANDLER. Their per diem average for subsistence is about \$7.50 at the present time. The law permits them to be reimbursed on the basis of their actual expenses not exceeding \$10 a day. The last examination we made showed that their actual expenses were around \$7.50 to which there is to be added, of course, whatever is the cost of their transportation. In a general way, the traveling expense this year compared with last year is going up.

Mr. PLOESER. This is \$7.50 plus transportation?

Mr. CHANDLER. Yes.

Mr. O'NEAL. You have some new language in there. Will you please explain the necessity for that?

TRANSPORTATION OF HOUSEHOLD GOODS

Mr. CHANDLER. I think that I will ask Mr. Whitehurst if he will not explain that. That is in reference to transportation.

Mr. WHITEHURST. That is to permit us to transfer household goods in the case of permanent transfers from one station to another station.

Mr. O'NEAL. What have you done heretofore about that?

Mr. WHITEHURST. Persons transferred have had to pay it themselves. We have not had very many cases. We endeavored to pay the expenses in one instance, and the Comptroller General held that the appropriation was not available. A similar provision for all the executive departments has been included in the Independent Offices Appropriation Act of this year. It only applies to the executive departments, so it would not apply to us and we want a similar provision.

Mr. O'NEAL. As I understand, the Independent Offices Appropriation Act would take care of the executive branch of the government, and this will apply the same rule to the judicial branch.

Mr. WHITEHURST. Yes.

Mr. CHANDLER. I might say in reference to this that we expect it will be authorized in a very few cases. But in some cases it is obviously economical to arrange for the transportation of the household goods of an officer in service. We include no money in the appropriation for it. We simply would like authority to do it.

Mr. PLOESER. Would you have to authorize it?

Mr. CHANDLER. Yes.

Mr. PLOESER. They cannot do it without your authorization?

Mr. CHANDLER. That is right.

PRINTING AND BINDING, UNITED STATES COURTS

Mr. O'NEAL. On page 180, on printing and binding, you received in 1943 \$89,000 and you are asking the same amount, \$89,000 for 1944.

We would be glad to have a statement as to that.

Mr. CHANDLER. Mr. Holland will explain that.

Mr. HOLLAND. This is to cover the printing and binding cost for all of the circuit and district courts as well as for the Administrative Office. The break-down of the expenses will be found on page 75 of the justification and forms and letterheads are one of the principal expenditures.

Mr. O'NEAL. Are you getting out more forms in the judicial branch? I thought that we had about all the improvement in forms in the executive branch. I am surprised that the judicial branch is increasing the number of forms.

Mr. HOLLAND. That is not an increase. It is a continuing expense.

Mr. O'NEAL. You are asking for \$18,800 in 1944 against \$14,978 in 1942.

Mr. HOLLAND. The figure in 1942 is not accurate. We thought that it was correct at the time these estimates were made up. Since then bills have been received from the Government Printing Office which have increased our total obligations under 1942 appropriations to approximately a little over \$86,735. We probably will have to ask for a deficiency appropriation on that item.

Mr. O'NEAL. On the whole item of printing and binding, do you anticipate a deficiency this year?

Mr. HOLLAND. I think that we can make it this year, but that is a very close appropriation. The expenses are very carefully supervised.

EXPENDITURES IN 1943

Mr. O'NEAL. What have you spent up to the present time on that, if you please?

Mr. HOLLAND. The obligations to February 23 are \$40,394. However, I should call your attention to the fact that this is not a true picture of how the actual expenses run for this reason:

A requisition is sent to the Government Printing Office and we cannot take up an obligation until we receive an estimate from them as to what the cost will be. We are not sufficiently experienced in the details and cost of printing to estimate the job ourselves. There is frequently a very substantial lag between the time the request is made and the estimate is returned, so that there is a very substantial quantity of requisitions that have been placed that cannot be shown on the obligation.

Mr. O'NEAL. The cost of that has gone up over the last year?

Mr. HOLLAND. Yes. They rise continuously.

Mr. O'NEAL. Your printing and binding is actually less than the year before due to the increase in price and operating on the same amount of money?

Mr. HOLLAND. That is it. We are doing some of the work on special forms, small jobs, on duplicating equipment which we have in the Administrative Office, and if it were not for that we could not stay within the appropriation we have for this year.

Mr. O'NEAL. What would you say is probably the increase in '44 over '43 on your printing and binding items—a 10-percent increase in cost?

Mr. HOLLAND. I should say it would be at least that. That is, I cannot give you anything more than an offhand guess. I do not even know the basis on which the Government Printing Office computes its costs.

Mr. O'NEAL. We will insert page 75 of the justifications showing the break-down of printing requirements in the record.

(The statement referred to is as follows:)

Statement to accompany justifications of estimates for printing and binding, United States courts, 1944

	Actual, 1942	Appropriations, 1943	Estimate, 1944
Government printing and binding:			
Forms, seat of Government and field.....	\$14, 978	\$18, 800	\$18, 800
Letterheads, seat of Government and field.....	4, 896	5, 000	5, 000
Dockets.....	6, 256	6, 500	6, 500
Binding.....	2, 478	2, 600	2, 600
Rules of courts.....	347	500	500
Supreme Court reports.....	22, 083	22, 000	22, 000
Opinions, District of Columbia Court of Appeals.....	1, 242	1, 300	1, 300
Annual report.....	2, 350	2, 300	2, 300
Miscellaneous.....	1, 504	1, 500	1, 500
Contract printing and binding:			
Binding.....	5, 198	7, 000	7, 000
Opinions of courts.....	20, 169	21, 000	21, 000
Miscellaneous.....	499	500	500
Total.....	82, 000	89, 000	89, 000

Mr. O'NEAL. I would like to know something about this miscellaneous item of \$1,500. I suppose that the rest of them speak for themselves. What is included in that?

Mr. HOLLAND. That is just small jobs. It is an accumulation of small jobs, no one of which is large enough in itself to itemize. It might include copies of acts and bills, committee reports which we buy from the Government Printing Office, and I cannot think of any other items offhand, but it is just an accumulation of jobs.

Mr. O'NEAL. What is the distinction between Government printing and binding and contract binding and printing? Is that in the field?

Mr. HOLLAND. That work is done in the field under authority granted us by the Joint Committee on Printing. We are given an allotment to expend certain moneys with private contractors in the field for work which it is impracticable to have done at the Government Printing Office. It is, as you can tell from the itemization, principally the printing of opinions of courts. Those are the opinions of the circuit courts of appeals. Obviously, it is not feasible to send those into Washington to have them printed, the type set up, send proof back to the field, and so on. That work is all done locally.

Also, there is the other large item under that field printing which is binding. That is principally binding of law books, although there is some binding of court records, binding of briefs that are submitted in cases.

Mr. O'NEAL. How does it happen that you carry on here the printing of Supreme Court reports where you do not handle the Supreme Court items?

Mr. HOLLAND. The statutes provide that the Attorney General shall print the United States Supreme Court reports and make certain distributions which are specifically set forth in the statutes. It comes under the Judicial Code, about section 334 or in that neighborhood. I cannot give you the exact citation. That distribution calls for the reports to go to the Federal judges, to certain executive departments and some of them to the legislative branch of the Government, some to the Library of Congress, and the reports have ever since that statute was enacted been distributed under the direction of the Attorney General.

When the Administrative office was set up it seemed appropriate that that appropriation be transferred to the Administrative office. We, however, exercise no control over it. We cannot. The work is done by the office of the Reporter of the Supreme Court. We merely handle the physical end of it.

Mr. O'NEAL. Mr. Ploeser, do you have any questions on this?

Mr. PLOESER. No; I do not.

Mr. CHANDLER. I would like to say that we have been inclined to exercise economy in this matter. The annual report of our office we omitted to print this year, and that is why we are sending the report out in this duplicated form. It is very legible but naturally the report does not fit conveniently into a set of the reports because of the difference in size from those issued heretofore. We all consider at this time that we should exercise economy in every way that we can, and I am more ready always to economize, if I can, in these impersonal expenses that do not have to come out of employees' salaries.

Mr. PLOESER. I think that Mr. Chandler and his staff certainly do want to economize, and they are very frank.

Mr. HOLLAND. As an interesting sidelight on the printing of that report, it was quite a job to assemble the sheets after they had been run through the mimeograph machine, and we called for volunteers in

the office force. We lined the sheets on the table and practically everyone in the office from the Director on down was walking up and down the table assembling the annual report so that we could get it out on time. We merely called for volunteers and we got a wonderful turnout.

Mr. O'NEAL. On page 180, there is some new language which reads as follows:

Not to exceed 5 per centum of any of the foregoing appropriations under the caption "Miscellaneous items of expense," may be transferred to and made a part of any other such appropriation for miscellaneous items of expense, but no more than 5 per centum shall be added to any one item of appropriation.

I think I understand what is meant there, but I would like to have somebody say something because I cannot think of very much in your behalf right there.

Mr. CHANDLER. Every year we find that we are very close to the line on some appropriations, and in others for reasons which cannot be anticipated we have a substantial surplus. Take for example the appropriation for commissioners' fees. We were confronted with a deficit of \$15,000 in that particular appropriation. On the other hand, there are some appropriations in which, as you have seen as we have been going through them, there have been considerable surpluses like the one for jurors' fees. It occurred to us if there was a provision for transfer from one appropriation for the courts to another to a limited extent so that we could make some adjustments—always within the maximum appropriation and to the extent of only 5 per cent—we could avoid the necessity of preparing deficiency estimates and applying for deficiency appropriations.

Mr. O'NEAL. You have a very tender deficiency committee sitting at all times.

Mr. CHANDLER. I will not spend any time on that item.

SALARIES, ADMINISTRATIVE OFFICE

Mr. O'NEAL. The next item that we have is for the salaries for the administrative office of the United States Courts. The amount in 1943 was \$242,500 and the amount for 1944 is \$252,537, which is an increase. We will insert page 78 of the justifications in the record.

Salaries, Administrative Office, United States Courts:

Regular appropriation, 1943 act.....	\$242, 500
Supplemental appropriations for 1943.....	
Total appropriations, 1943.....	242, 500
Deduct nonrecurring and other items not required in 1944.....	
Base for 1944.....	242, 500
Increases requested for 1944:	
01 Increase in personnel.....	\$3, 660
Less delays in filling new positions.....	440
	\$3, 260
Additional cost of within-grade promotions made in 1943..	1, 357
Legislative changes in salary ranges.....	420
Total	10, 037
Total estimate or appropriation for 1944.....	252, 537

I have already asked you about deferments.

Mr. CHANDLER. There have been absolutely no deferments in our office. I cannot tell you how many persons have gone into the armed services. I think that 16 members of the staff, which consists of approximately 100 persons, have gone into the armed services, and among them are some of the most valuable members of our staff—

TURN-OVER IN PERSONNEL

Mr. O'NEAL. How much turn-over have you had? I think probably I asked you that earlier. Have you had much of a turn-over?

Mr. WHITEHURST. We have had a substantial turn-over, very substantial. Just how much I cannot say right now.

Mr. O'NEAL. How many vacancies do you now have on your rolls?

Mr. WHITEHURST. I would say perhaps 4 or 5. Right now we do not have as many as we have had. There have been times when we have had as many as 16.

Mr. O'NEAL. Have you had any trouble securing personnel?

Mr. WHITEHURST. We have been fairly fortunate in securing personnel. In an office having between 100 and 110 people, we do not have the same problem that we should have if we had 5,000.

Mr. PLOESER. Do you have 110 people?

Mr. WHITEHURST. Yes; about that number. I do not believe we could possibly get along with less.

Mr. O'NEAL. Will you explain these increases set out on page 78 of the justification ledger?

Mr. CHANDLER. The first item is \$8,660 for an increase in personnel. That consists of three clerk-stenographers in grade CAF-3, and one assistant chief in the Division of Probation. If you will permit me, I will refer to the smaller positions first.

I will say that I suggest the withdrawal of the position of the clerk-stenographer in the Assistant Director's office. He and I have conferred. Provision was made a year ago for a third clerk in my own office. There are two clerks in the office, the secretary and the assistant secretary. I find that I can function with those two persons. There are many more operations conducted in Mr. Whitehurst's office than there are in mine, and recently that help was added to Mr. Whitehurst's office, subject to an appropriation, so that he now has the service that he needs and that position may be eliminated.

Mr. O'NEAL. Is that this \$1,620?

Mr. CHANDLER. Yes; you can deduct this \$1,620 on that score.

Now, the other two clerks really are urgently needed. One is a clerk in the audit section to work under the chief auditor, and to give her attention almost entirely to handling the correspondence in relation to the bankruptcy reports; specifically the semiannual reports of the referees. The general orders of the Supreme Court require that there shall be filed semiannually by each referee in bankruptcy a detailed statement of his receipts and of his disbursements with an indication of the purpose. The report of the Attorney General's opinion on bankruptcy administration which was filed I think in the latter part of 1941, or the early part of 1942, called attention to the fact that there was a rather serious abuse in many districts of the indemnity funds in bankruptcy estates. The indemnity funds consist of money deposited for payment of expenses.

Those moneys under the law can be applied only in payment of actual expenses. Many referees, some of them, perhaps most of them, proceeding in good faith in pursuance of a long-standing custom in their courts, considered that if out of the amounts the rules permitted them to require by way of deposits from the parties to reimburse them for their expenses, they could save anything, it was their own money and might be added to their earnings from the fees provided by statute.

The Attorney General's committee called attention to that evil and urged that steps be taken to correct it. When the Bankruptcy Division was set up in our office under a chief, Mr. Covey, attention was directed to that practice and we have been proceeding along two lines; first, a very careful examination has been made in our office of the copies of the semiannual reports which if closely scrutinized and if the information is completely given as required by the form, will show whether expense moneys are being wrongly appropriated for compensation. The Auditor's office is handling that correspondence which has already become very extensive because when we write to a referee in reference to his semiannual report and say that we do not understand it, we want further information, or that it would appear that he is not following the statute, he will reply to us and that causes further correspondence.

During the current year, we have been able occasionally to supply a temporary stenographer for that purpose, but a permanent stenographer to handle that work mainly is needed, and would be available in part for the general work of the section.

WORK OF BANKRUPTCY DIVISION

Mr. O'NEAL. Has the bankruptcy load increased during the last year?

Mr. CHANDLER. It has gone down, sir, the number of cases. For the first time in the year 1942 the number of bankruptcy cases declined, and present business is such that for a time a further decline is to be expected. On the other hand, reports are required to be filed by the referees if they have any business at all, semiannually.

Mr. O'NEAL. They did not have those before, those reports?

Mr. CHANDLER. The reports had been filed, sir. They are required by the general orders in bankruptcy in the Supreme Court which were promulgated after the enactment of the Chandler Act.

They are required to be filed in the clerks' offices, and they were filed, but really nothing was done with them. They were logged in the records of the court. I think copies were sent by the clerks to the Department of Justice, I know that when our office was set up, they came to our office, but it naturally took us time to develop a system for scrutinizing them.

Mr. O'DEAL. Do you think that the increase in personnel requested for that purpose will help you get the backload on that also, or is it just the future load that you are referring to?

Mr. CHANDLER. It is the current load. These reports come in every 6 months. It is to be expected, of course, that as the practice becomes better understood by the referees, there will be fewer cases of nonconformity with the statute, intentional or unintentional, but other work will develop, and that assistant is needed.

The other position in the Bankruptcy Division itself is needed. The Bankruptcy Division was constituted in the winter of 1942 by the appointment of a chief of the Division, an attorney who acts as an assistant chief, and one stenographer. Now, really a striking accomplishment of the Administrative Office for the last year has been improvement in the bankruptcy administration over the country. I have called attention to the misuse of the indemnity funds before, and one of our methods of attacking it.

The other method has been to suggest to the courts, to the district courts, whose local bankruptcy rules do not specifically prescribe how the indemnity fund should be administered, or whose rules did not correctly regulate that, that the rules be changed and made clear as to the proper application of the indemnity funds. Mr. Covey, the chief of the division, in conferences with judges of district courts and referees in many districts, has already brought about changes of the local rules on this subject to make the court practice so plain that no referee with any intelligence could mistake it. He has brought about the adoption of what we regard as model rules in at least 16 districts, and the number is going up all the time.

Now, there are the chief of the Division and the assistant chief, and they have only one stenographer. They really do need another stenographer, and that is why I ask for this second clerical position.

PROBATION DIVISION

Mr. O'NEAL. What about this assistant chief of probation?

Mr. CHANDLER. Now, the assistant chief of probation is suggested to meet a need which arises for closer instruction of newly appointed probation officers in the duties of their positions.

Forty-five probation officers out of a total of 271 have gone into the military service. That is because the ideal probation officer is a man of vigor and effectiveness who is within the military age. We are glad to have those men go in, but that has made necessary the appointment of a large number of new officers. I think that 53 new probation officers were appointed in the fiscal year 1942. That process is still going on.

Mr. PLOESER. How does that apply to the need of an assistant chief?

Mr. CHANDLER. I will come to that point in a moment. The work of a probation officer is a somewhat specialized work. I will not describe it further than I have already described it, but it calls for, and involves, special techniques. If a man can be given the results of experience of those who have been through the mill he can become more effective more quickly than he could otherwise.

The committee on qualification of probation officers of the Judicial Conference to which I called attention, I think it was yesterday, made as one of its recommendations the following, which I will quote from the report:

Your committee believes that in the case of newly appointed probation officers their effective adaptation to the job would be greatly assisted by a course of in-service training, preferably in regional conferences throughout the country, rather than at Washington. Mr. Chappell and Mr. Chandler have given much thought to such a program. We recommend that in the budget for the fiscal year 1943-44 an additional item of \$10,000 be included to make provision for such in-service training.

I have not asked for that, Mr. Chairman. I see advantages in it ultimately, but I am not asking for it now.

Mr. O'NEAL. I see.

Mr. CHANDLER. But I am asking for the next suggestion:

We believe also that provision should be made for some increase of the headquarters staff of the Office of Chief of Probation in order that there may be a more adequate survey of the work of probation officers in the field.

We now have Mr. Chappell, the chief of the division. We have an assistant officer here in Washington, and we have at the present time three, I think, stenographers.

Now, court after court throughout the country is asking us if we cannot come to them, if Mr. Chappell cannot come to that court and confer with the judges and with the probation officers in regard to the way in which they are doing their work and give them counsel and instruction. He does a certain amount of traveling, but this country is so large, the number of districts is so great, that he really is not able to do as much as he should. I am asking this frankly because I see an opportunity, I am sure, to increase the efficiency of the probation officers, to give them the same sort of assistance that would be comparable to what a commercial organization might give to its representatives in the field.

Mr. O'NEAL. Let me ask you this question: Is it a fact that the major portion of those who are under the care of a probation officer are young people; in other words, you do not take an old hardened criminal, do you?

Mr. CHANDLER. Not a hardened criminal. I will say that the major portion are young, I think that is true.

Mr. O'NEAL. And is it not also a fact that the major portion of these young men are going into the services, and because of that as reflected in the Federal docket, crime has considerably decreased among that age group?

Mr. CHANDLER. Well, we have something over 26,000 or 27,000 persons, between 26,000 and 27,000 persons under supervision at the present time.

Mr. O'NEAL. You are not having as many convictions now, men between 18 and 38, and women, as you had prior to the war, I presume? That would seem to be almost axiomatic?

Mr. HENDRICKS. The record shows that crime among younger people is going up and the lower the age the higher the crime percentage. It is ranging all the way from the top draft age down.

Mr. O'NEAL. If those men are going into the service, the docket of the Federal court would not show so many. I am talking about new crime. I am not talking about those now. I am talking about the new.

Mr. CHANDLER. The number of criminal cases in the Federal courts was higher in 1943 than it was in 1942 and in 1941.

Mr. O'NEAL. Do you include desertions in that group, and crimes of that sort?

Mr. CHANDLER. No; not military. We do include selective service cases.

Mr. HENDRICKS. Failure to report?

Mr. CHANDLER. All civil crimes.

Mr. O'NEAL. The purpose of the question was this: If you have a turn-over in your personnel amounting to 57 out of 270, and a character of crime probably different from that which you will have after the war period is over, or whether there is a change in it, it seems to me that it is a little bit a waste of effort to put a chief probation officer on to travel all over the country to inspect probation officers, to see that they meet the job of being a good probation officer, where the situation is so involved now and mixed up and not like it will be following the war. That is what it would seem to me.

Mr. PLOESER. It seems to me that a reform of that kind could wait.

Mr. O'NEAL. That is the way it impresses me, and frankly many of your old probation officers will come back to you. The people that you are taking now possibly are not quite so expert.

Mr. CHANDLER. We are having difficulty in maintaining the standards. I am glad to say that the courts are making a special effort to hold the standards up. I recognize that the decision on this recommendation is a matter of judgment. I do consider that for personnel work of this kind a certain amount of guidance and counsel from those who have had experience makes for efficiency. I think that a private organization would give more in the way of supervision to men who are doing the work than our office is able to do.

Mr. O'NEAL. Let us proceed with the other increases.

Mr. CHANDLER. I think that we have covered the increases in personnel. I believe that the other items of increase explain themselves on page 79. There is the additional cost of within-grade promotions which is of the same nature as in other agencies.

Mr. O'NEAL. We feel obligated to make those.

Mr. CHANDLER. There is a small sum, \$420, for legislative changes in salary ranges. That simply represents the increases in salaries of custodial employees in our office to correspond with the scale established for the Government generally.

CONTINGENT EXPENSES, ADMINISTRATIVE OFFICE

On page 183 of the bill is the item of miscellaneous expenses. In 1943 the amount was \$39,000 and the amount for 1944 is the same. We will insert page 84 of the qualifications in the record. Would you explain the item for miscellaneous expenses?

CONTINGENT EXPENSES, ADMINISTRATIVE OFFICE, UNITED STATES COURTS

Regular appropriation 1943 act.....	\$39,000
Supplemental appropriations for 1943.....	
Total appropriations, 1943.....	39,000
Deduct nonrecurring and other items not required in 1944: Amount transferred to surplus fund of the Treasury in accordance with Public Law 644.....	5,000
Base for 1944.....	34,000
Increases requested for 1944: Restoration of amount transferred to surplus fund of the Treasury in accordance with Public Law 644.....	5,000
Total estimate or appropriation for 1944.....	39,000

Mr. HOLLAND. This estimate covers the expenses of the Administrative Office solely in Washington for all items excepting personal services.

Mr. O'NEAL. How much have you spent to date?

Mr. HOLLAND. The obligations to date are approximately \$14,300.

Mr. O'NEAL. For 7 out of 12 months?

Mr. HOLLAND. Approximately 8 months.

Mr. O'NEAL. Is your load in the spring heavier as a rule than it is in the early part of the fiscal year?

Mr. HOLLAND. It runs fairly constant. The difference there is explained by a rather low obligation in the traveling figure, and perhaps you would like to cover travel, Mr. Chandler.

TRAVELING EXPENSES

Mr. CHANDLER. This sum of miscellaneous expenses includes for travel \$15,000, or rather \$20,000. That is the amount, I believe, appropriated last year, from which, however, there was a refund to the Treasury at the beginning of the year of \$5,000.

Mr. WHITEHURST. If you want to cut out the \$5,000, we will concede that.

Mr. CHANDLER. The fiscal year of 1942 ended on the 30th of June when Mr. Covey came into the office, or he was in the office then but had been for only a short time. He travels in the work of the Bankruptcy Division, and on the basis of our travel at the present time, and travel that should be done, I would say that a minimum allowance that would not curtail the efficiency of the office for 1944 would be \$12,500. Somewhere between that and \$15,000. If this committee fixes that sum anywhere between \$12,500 and \$15,000, it will probably suffice.

Mr. PLOESER. And you will stay within that without any deficiency?

Mr. CHANDLER. I will say this: That so far as our own Office is concerned I think whatever you give us for travel, unless there are some extraordinary conditions that should develop, we shall stay within it, because after all our own travel is controllable. I appreciate the purpose of your question, to find out whether we can function with reasonable efficiency. I should say that we could with a fund for travel of \$12,500.

Mr. O'NEAL. You do not think that that would impair your work?

Mr. CHANDLER. It would not.

COMMUNICATION EXPENSE

Mr. PLOESER. Take communication next.

Mr. HOLLAND. The communication I think is a pretty low figure as it is now.

Mr. PLOESER. How much is that on long distance?

Mr. HOLLAND. Our long distance I think is modest, if I may be permitted to say it, and ranges something like \$20 a month for the entire Office. Other than that, the expense merely covers the phones that we have in service. Of course, our phones are connected with the switchboard of the Supreme Court, and we pay a proportionate share of the cost of operating that switchboard just as other Government agencies operate off of joint switchboards.

RENTS AND UTILITY SERVICES

Mr. PLOESER. Rents and utility service.

Mr. HOLLAND. That covers the rental of equipment. Practically all of it is taken up with the tabulating machines which are rented for divisional procedure studies and statistics and are necessary to that work.

Mr. PLOESER. Contractual services, I notice that in 1942 you spent \$7,400.

Mr. HOLLAND. That covers principally the repair of equipment, and I think probably the \$1,500 estimate will be low for the coming year.

Mr. PLOESER. Low?

Mr. HOLLAND. Low. We cannot, of course, buy new equipment, and our equipment is getting older all the time and we have to have it overhauled. One of our duplicating machines we sent for overhaul 2 or 3 days ago, where they had broken some cogs or gears and it needed a general overhaul, and that cost us about \$300.

Mr. PLOESER. What about supplies and materials?

Mr. HOLLAND. Supplies and materials I think cannot be reduced beyond that figure without hampering us rather drastically.

Mr. O'NEAL. What has been spent on that to date?

Mr. HOLLAND. To date, we have spent approximately \$4,600.

Mr. O'NEAL. What is it on equipment?

Mr. HOLLAND. Frankly, I doubt if we shall be able to use the entire estimate of \$6,600.

Mr. O'NEAL. You think there might be about a 50-percent cut in that, do you?

Mr. HOLLAND. Well, I do not think that would hurt us.

Mr. PLOESER. Can you give us any more than that?

Mr. HOLLAND. We can use the equipment if we can get it, but I do not think we can get it.

Mr. PLOESER. Well, do not be bashful.

Mr. HOLLAND. I think we shall have to make up, out of that equipment allotment, part of the increased cost of maintenance we now have. I certainly did not want to give too readily on that, but I do not think it ought to be cut over 50 percent.

Mr. PLOESER. How about \$4,000 for that?

Mr. HOLLAND. That would be reasonable, I think.

DELETION OF LANGUAGE

Mr. O'NEAL. Now, on page 184, there is some language to be deleted. What is the purpose of that?

Mr. WHITEHURST. That part in brackets is the provision for recovering funds in traveling expenses that appeared in the bill last year and is not applicable to the bill this year.

Mr. O'NEAL. It has no application this year?

Mr. WHITEHURST. It has no application this year.

TRUST ACCOUNTS

Mr. O'NEAL. I would like to have you tell us about the trust account and the method of handling it.

Mr. CHANDLER. The clerk handles two types of funds—registry funds and trust funds. Mr. Whitehurst, as the Assistant Director, is in direct charge of the Division of Business Administration of the courts of the Administrative Office. He gives special attention to that, and I will ask him to explain it.

Mr. WHITEHURST. The clerks have a very complicated, unnecessarily complicated, method of handling official moneys.

Mr. O'NEAL. That is the district courts and the circuit courts?

Mr. WHITEHURST. The district courts and the circuit courts, particularly the district courts where large amounts of money are handled.

When they receive deposits, when a case is filed, for example, or fines, they must deposit the money in their trust fund account. That money, by the terms of the permanent appropriation repeal act of 1934 is covered into the Treasury and goes into a receipt account first, then at some unknown time, the Treasury takes it out from the receipt account and puts it in the appropriation account. Then the clerk, in order to get back some of the money, to be refunded to a litigant who deposited the money in the first instance and has a right to have it back, must file a requisition with us. A warrant must be drawn and signed by the Secretary of the Treasury and passed upon by the Comptroller General before the clerk can get into a checking account a part of the money which he put into the Treasury in the first place. At that stage, he is then able to draw a check and pay the refund. He goes through the same procedure in the case of a fine for an internal revenue law violation, in which case he must pay the money over to the Collector of Internal Revenue.

Mr. O'NEAL. You have a notation here "Appropriated 1943,

Mr. O'NEAL. You have a notation here "Appropriated 1943, \$4,294,200": When and where was that appropriated?

Mr. WHITEHURST. It was appropriated by the Treasury Department under the permanent appropriation law.

Mr. O'NEAL. That is one of the permanent trust funds?

Mr. WHITEHURST. That is one of those permanent trust funds.

Mr. O'NEAL. It is a bookkeeping item there, rather than an appropriation?

Mr. WHITEHURST. That is right—it is a bookkeeping item.

Mr. O'NEAL. Mr. Chandler, do you not think this is a place where the judicial conference might do a little studying to improve it a little more?

Mr. CHANDLER. We have been trying to get that procedure changed.

Mr. PLOESSER. It is a case where the administrative officer of the court could better handle the funds coming in, paying out the amounts that have to be disbursed and putting the balance into the Treasury?

Mr. WHITEHURST. It would be better to let the clerk handle it; let him have a special deposit account in the Treasury, let the Treasury be his banker, and let him put into his bank account in the Treasury all of his receipts and immediately draw checks upon it; then draw a check to the Treasury for whatever part of that money belongs to and becomes money of the United States.

Every clerk is under bond ranging from \$10,000 to \$40,000. At no time would be able to check out more than he put in.

Mr. PLOESER. It seems to be the tendency always on the part of the Government to do things the hard way.

Mr. WHITEHURST. We have found that to be true in many instances.

Mr. PLOESER. And if it could be simplified, we ought to do it.

Mr. O'NEAL. I believe that is all, Mr. Chandler. We thank you very much indeed, all of you gentlemen, and appreciate your patience with the committee.

Mr. CHANDLER. We appreciate very much the courtesy which you have shown to us.

THURSDAY, MARCH 4, 1943.

SALARIES OF SECRETARIES AND LAW CLERKS TO JUDGES OF UNITED STATES COURTS

STATEMENTS OF HON. D. LAWRENCE GRONER, CHIEF JUSTICE, AND HON JUSTIN MILLER, ASSOCIATE JUSTICE, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA; HON. JOHN C. KNOX, UNITED STATES DISTRICT JUDGE, NEW YORK CITY; HON. ARTHUR D. HEALEY, UNITED STATES DISTRICT JUDGE, BOSTON, MASS.; HARRY P. CHANDLER, DIRECTOR, AND ELMORE WHITEHURST, ASSISTANT DIRECTOR, ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Mr. O'NEAL. The item which we are to consider is for salaries of all officials and employees of the Federal Judiciary not otherwise specifically provided for.

The committee is very much pleased today to meet with you gentlemen. We are glad to have Congressman Celler with us, and our former colleague, Judge Healey.

Mr. Chandler, I wonder if you want to lead the discussion and introduce the judges in the order in which they would like to be presented?

Mr. CHANDLER. I think it might be helpful if, at the outset, I called attention to the difference between the present appropriation and each of these two items in just a word.

The two items to be presented this afternoon are proposed increases in the appropriation for miscellaneous salaries. The first one is the sum of \$100,000 for the reclassification of secretaries and law clerks of judges who are paid out of that appropriation. The second item is a part of the sum of \$219,400 designated "For additional personnel." Eight thousand eight hundred dollars of that sum you will remember, Mr. Chairman, is for the "Emergency Court of Appeals" and was explained by me the other day.

Mr. O'NEAL. That is a new court.

Mr. CHANDLER. That is a new court; yes, sir.

The remaining item which is for consideration this afternoon is \$210,600 for law clerks for district judges, shown on page 65 of the justifications.

The first item of \$100,000 for reclassification is to make possible increases in the salaries of secretaries and law clerks for both district and circuit judges. The appropriation for the fiscal year 1943 provides that the compensation of secretaries and law clerks of district judges shall be fixed by the Director of the Administrative Office of

the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of secretaries shall not exceed that of the senior clerical grade, and the salaries of law clerks shall not exceed that of the principal subprofessional grade. The proposal for which the sum of \$100,000 is asked is to increase the range of the salaries of secretaries to judges from the senior clerical grade to the principal clerical grade, the range of which is \$2,300 to \$2,900 per annum, instead of \$2,000 to \$2,600 per annum, which is the range of the senior clerical grade fixed by the present act.

I should say that the text of the present appropriation does not limit the salaries of secretaries and law clerks to circuit judges, as distinguished from these employees of district judges, but nothing was ever included in the appropriation to permit payment of higher salaries. So that, with very few exceptions, as a practical matter, the secretaries of both circuit and district judges have been limited to this range of \$2,000 to \$2,600 per annum, and the proposal is to raise the scale for secretaries of both classes of judges to \$2,300 to \$2,900 per annum.

The other part of that provision is that the limitation of the salaries of law clerks for district judges in the present appropriation to the principal subprofessional grade, the salaries of which are \$2,300 to \$2,900 per annum, be changed to provide for classification in the assistant professional grade, the range of which is \$2,600 to \$3,200 per annum; except that the bill places a maximum limit of \$3,000. With reference to law clerks for judges, both district and circuit, the proposal is to provide for a salary range of \$2,600 to \$3,000 per annum, instead of \$2,300 to \$2,900 per annum.

The Judicial Conference at its last meeting appointed a committee of judges, of which Circuit Judge John Biggs, Jr., the senior circuit judge of the third circuit, is chairman, to study the salary scales of all of the supporting personnel of the courts and, in due time, to make a report to the Judicial Conference of what it would consider an appropriate salary plan. That study is in process and will take some time to complete. Meanwhile, the committee has given consideration to the provision for reclassification of certain positions in the present bill, among them the provision for reclassification of clerk personnel about which I have spoken to you: the provision for classification of a very limited number of probation officers to lift their salaries to the present scale, and the provisions to raise salaries of secretaries and law clerks of judges to which I have referred.

Mr. O'NEAL. And the amounts mentioned in here are the amounts that would be required if those requests are allowed?

Mr. CHANDLER. That is correct. Now, Justice Justin Miller, one of the members of the Conference Committee on Salaries, and Associate Justice of the United States Court of Appeals for the District of Columbia, has given very much thought and study to this whole problem of salaries of court employees, and he will speak to your committee with reference to this item of \$100,000 for reclassification of miscellaneous salaries.

ASSIGNMENT OF SECRETARIES AND LAW CLERKS

Mr. O'NEAL. Let me ask you there. How universal will be the assignment of secretaries and law clerks to district and circuit offices?

Will this provide one in each one of the offices, or what is to be the distribution of these, if allowed?

Mr. CHANDLER. At the present time, every circuit judge is entitled to a secretary and a law clerk; every district judge is entitled to a secretary. Certain district judges, not more than three to a circuit, whose applications for law clerks are approved by the senior circuit judge of the circuit, under the present appropriation may have law clerks and, in fact, 33 positions of law clerks for district judges are authorized by the present appropriation. There are, roughly, 185 district judges.

Mr. O'NEAL. If this personnel is allowed, how would the new personnel be distributed?

Mr. CHANDLER. The employment of the new personnel would be authorized by me upon the recommendation of the senior judge of each circuit. That is, no district judge would be entitled to have a law clerk unless the senior circuit judge of the circuit certified to his need. Of course, if more applications for law clerks were approved by the various senior circuit judges than there was money to pay for, I should submit the matter to the Judicial Conference of Senior Circuit Judges and ask them to direct me, so that I would know how to make the allocation.

BASIS OF THE ESTIMATE

Mr. O'NEAL. How did you arrive at the amount you are requesting here? Did you consider the individual need of each judge, or how did you arrive at the figure of new personnel you have mentioned in this request?

Mr. CHANDLER. Mr. Chairman, if it is agreeable to you, Judge Knox, who is to speak to that item of additional personnel, will deal with that. There are really two problems here. Justice Miller will deal with the problem of what are the proper salaries for secretaries and law clerks for judges, and Judge Knox will deal with the question of how many law clerks there ought to be for district judges.

Mr. JOHNSON of Indiana. When did the practice begin of providing law clerks?

Mr. CHANDLER. There was a statute passed in 1936, providing that every district judge who needed a law clerk and whose need was certified by the senior judge of the circuit might have a law clerk; except that in the first year, as I recall it, there was a limitation of 35.

Mr. CELLER. That is right. And that limitation has expired.

Mr. CHANDLER. And that limitation has expired and the act is now on the books and provides as I have stated.

Mr. JOHNSON of Indiana. So that there is legislation to provide for this?

Mr. CHANDLER. Oh, yes; there is the basic legislation to provide for this.

Mr. JOHNSON of Indiana. How many were provided during the first year?

Mr. CHANDLER. No law clerks were in fact appropriated for, for the district judges in the beginning. The circuit judges have each been entitled to one law clerk for a considerable number of years.

Mr. JOHNSON of Indiana. They have been having them, have they?

Mr. CHANDLER. Yes, sir.

LAW CLERKS FOR DISTRICT JUDGES

Mr. JOHNSON of Indiana. Now, as to district judges: When did you first provide law clerks for district judges?

Mr. CHANDLER. The provision was first made in the appropriation for the fiscal year 1941, because that was the first time there was an appropriation to pay them.

Mr. JOHNSON of Indiana. How many were provided for in the fiscal year 1941?

Mr. CHANDLER. Two for each circuit.

Mr. JOHNSON of Indiana. And how many circuits?

Mr. CHANDLER. There were 10 judicial circuits, so-called, and the District of Columbia.

Mr. JOHNSON of Indiana. There were 22 provided for, then?

Mr. CHANDLER. That is right.

Mr. JOHNSON of Indiana. That was the fiscal year 1941?

Mr. CHANDLER. That is right.

Mr. JOHNSON of Indiana. How many were provided for in the fiscal year 1942?

Mr. CHANDLER. As I recall, the number was increased to 3—1 each—in the fiscal year 1942. That made 33 for the country, and that number was renewed in the present fiscal year.

Mr. JOHNSON of Indiana. And at this time there are 33 provided for?

Mr. CHANDLER. That is right.

Mr. CELLER. That is three in each circuit.

Judge HEALEY. Thirty-three in all.

Mr. ANDERSEN. Mr. Chandler, who is going to justify the request for these additional law clerks at this time, now that we are at war and the labor situation is so desperate all over the Nation?

Mr. CHANDLER. Judge Knox is chairman of the committee—

Mr. ANDERSEN. And he will do the justifying?

Mr. CHANDLER. Yes, sir. If agreeable to the committee, there are two items. The first, for \$100,000 for reclassification, Judge Miller will discuss—

Mr. ANDERSEN. What will be the average age of these law clerks that would be put in under this new personnel?

Mr. CHANDLER. It varies very much. Some judges like to select young men who have the zeal of students and have the energy that young lawyers do have; others prefer to have lawyers who are more experienced. Of course, the judge makes the appointment and the precise nature of the appointee depends upon his preference.

Mr. ANDERSEN. I want to bring out this point now: Each one of those young men appointed to such a position today means that somebody else will have to take his place in the armed forces of America.

Mr. CHANDLER. No; the position of law clerk is not a ground for military deferment. Clerk after clerk is going into the service and deferment is never requested on that ground.

Mr. ANDERSEN. Nevertheless, you folks are asking here for people who, up to this date, have not been on the rolls; is that not the fact?

Mr. CHANDLER. That is right.

Mr. ANDERSEN. I am very careful at this time about doing anything that will say to my agriculturists back home "You cannot get suf-

ficient labor to produce food"; but, at the same time, here at one stroke we are putting on able-bodied men in another occupation. Even though they are deemed to be very necessary, nevertheless, that means just that many men whom I feel, unless very good justification is given, we could utilize to better advantage elsewhere.

Mr. CHANDLER. I hope you will keep that question open——

Justice GRONER. I think the answer in a very few words is this: None of the judges are appointing law clerks who have not already been disqualified for military service, either by their eyes, or blood pressure, or conditions of that kind. It would be a very serious thing if they did; because, within 3 months, when they had begun to learn something, they would be taken out for military service. So I think the universal rule is that the only acceptable candidates for these jobs are young men who are not eligible for military service in any way.

Mr. O'NEAL. Now, Justice Miller, we will be very glad to hear you, sir.

RECLASSIFICATION OF COURT PERSONNEL

Justice MILLER. Mr. Chairman, I think I should say that the committee of which I am a member and to which Mr. Chandler has referred is the committee of which Judge Biggs is chairman. Judge Biggs is not here because he is threatened with pneumonia. I say that for the reason, also, that in what I am going to say I am going to go beyond any authorization I have from the committee. I want to be quite unconventional in my justification and try to give you quite a different picture.

Mr. JOHNSON of Indiana. Would you mind indicating, as you do go along, how far you are going beyond the authorization of the committee?

Justice MILLER. Yes; I will do that.

I think I can begin best with an illustration of our mutual friend, John Tolan, when he appeared before the Supreme Court a year or 2 ago to argue the migrant bill. He began by saying "May it please the Court, I know very little about constitutional law; I have been in Congress too long"—a very disarming statement. And he got very careful attention from then on.

I think sometimes when we are too close to the scene, we are apt to assume too much about what we find there, and I would just like to give you a little different point of view, based upon the fact that, just before going onto the court, I served first in the Solicitor General's office and, second, on the Board of Tax Appeals, now the United States Tax Court. And the contrast which I found between the personnel set-up in those organizations and what I found when I went into court started me on the project which I have been working on ever since.

It was back in 1937 when I went on the court and I began very shortly to harrass Chief Justice Groner by asking him to let us do something about getting a reclassification of our court personnel, because I was satisfied the courts were not being properly served. I was satisfied that for a long time the process of reclassification and setting salary scales in the courts had not been given proper consideration; so I am not assuming it was a correct situation to begin with; I am assuming it was a rather bad situation to begin with.

Things went on; we had an annual turn-over in our law clerks' offices, because that was the policy. We kept clerks for just a year and lost them to the district attorney's office, to the Board of Tax Appeals, to the United States Attorney's office, or to some other office, because they were always glad to get them, because we had trained them well enough so that they were pretty good men by the time they got through a year. Then we started over again training another man. So, finally, as the defense program developed and we began to lose men more frequently, a committee was set up in our court to study the problem.

I began to make a study and reported to the Conference of Senior Circuit Judges, first in 1941, finally in 1942. And it was after my report in 1942 that this committee was appointed. We are making a study of all court personnel. We are studying it with the idea of a complete reclassification, a complete reorientation. Some of these days we are going to be able to present the whole matter to the conference and later to you; but we are here today to talk about particular items which will fall within the program. It is only as to those items I am going to speak. I am going to speak as a matter of general background, but what I say as a matter of general background should be related only to those particular items, because they are the only ones that the Conference of Senior Circuit Judges has so far approved, and, so far, all they have done about the other problem is to tell us to go ahead and study and report back.

I am going to begin by reading a statement which appeared in the report of the Appropriations Committee last year, and mainly directed to your question of a moment ago:

The committee has eliminated from the Budget estimates the funds for 11 additional law clerks to district judges, proposed to be assigned to a district judge in each of the Federal circuits, and it has likewise disapproved the estimate of \$23,000 for a reclassification of the salary of law clerks and secretaries to circuit judges. The committee wishes it understood that in taking this action it is not to be construed as an act unfriendly to the purpose of the increase, but rather is prompted by a consideration that this work is in no wise connected with the war effort. * * *

I challenge, of course, with complete respect for the committee, the statement that it is in nowise connected with the war effort. I take the position, rather, that there is no work which is being done in this country which is any more important to the war effort than the work of the courts. I take the position that if there is anything for which we are fighting, it is to preserve such institutions as our courts, in order that disputes which arise between citizens, and between citizens and the Government, may be adjudicated without passion, without prejudice, and on a proper basis. To assume, for example, at the inception that it is proper at one and the same time to increase very substantially the appropriations of the Federal Bureau of Investigation—and I say that with full respect for the Bureau—on the theory that it is connected with the war effort, and to say the work of the courts is not connected with the war effort, is a grave misconception of what is going on in the administration of justice. When that time comes that it is important to increase substantially the provisions for the work of the police and to say the work of the court in which the man captured by the police is tried as a criminal, is not important, we have come a long ways from our beginning.

Mr. O'NEAL. Was not that with reference to increase in numbers, rather than an increase in salaries?

Justice MILLER. It was said as to both—both the item for increase of 11 additional clerks to district judges and the \$23,000 for reclassification of salaries of law clerks and secretaries to circuit judges.

Mr. O'NEAL. I mean the F. B. I.'s increase in appropriation was due to the increase in numbers to prevent sabotage and work of that sort?

Justice MILLER. Yes, but those people are brought into our courts for trial.

Mr. O'NEAL. So it was not a question of a reclassification of salaries alone?

Justice MILLER. Yes. The minimum salary move was to \$3,200 which is considerably higher than our maximum for law clerks.

I speak of that with a good deal of interest because, several years ago, when I was teaching law, the placement of our men was a very important consideration, and the placement of men with judges was supposed to be one of the finest jobs, and the placement of men in the Federal Bureau of Investigation was a job that was definitely second to it. But when the Federal Bureau of Investigation started with a beginning salary of \$3,200, we just could not compete with them with a maximum salary of \$2,600, as you can easily see.

I am putting that very bluntly, very flatly, because it seems to me it is fundamental. And, as I say, if it is not essential, or if it is not to be considered essential, then I think we have come a very long ways from our old professions as to what we stand for in this country.

Mr. O'NEAL. Does that apply to secretaries, too?

Justice MILLER. Oh, yes, definitely; yes, indeed; because the work of those secretaries and clerks is work which contributes directly to the work which the judges do. That is the point I am going to make to you.

The judges are pretty high-priced people. Presumably, they are performing a very important service. Each circuit judge has only two helpers—a law clerk and a secretary. In a large organization like the Department of Justice you find a whole staff of folks, and the going or coming of one or two does not make a great deal of difference; there are enough there to take up the slack. But when the secretary or law clerk leaves the judge it just cuts a hole in his product. His secretary is the person who not only does his stenographic work, but helps in the legal editing, helps to take care of the office, is his receptionist. She is everything; she is the equivalent of the whole staff which you find ordinarily in a big organization of ten or twelve thousand dollar men. And the law clerk is the man upon whom the judge depends entirely for research in preparing memos, in preparing motions, in helping to prepare opinions, and so forth. And if he goes, you take a period of 2 or 3 months breaking in a new one.

Those two, the secretary and the law clerk, work together in the legal editing and preparing of opinions. They are a team. It takes time to learn that highly specialized piece of work. If either one goes, you break the team.

COMPARISON OF JUDGES' STAFFS WITH BOARD OF TAX APPEALS

Compare, for example, the work of the Board of Tax Appeals. I speak of that because I was over there. There are 16 men on that

Board. Each man has a lawyer. My lawyer was a \$6,000 man, a Harvard Law Review man, a career man. He had been there for years. He did exactly the same work for me over there that my law clerk does for me in the court, except on a lower level, because we take appeals from that Board. He did exactly the same work that the law clerk should be doing for the district court judge, because the district court judge does the same work as the Board of Tax Appeals.

In addition to the fact that each of us had a lawyer at salaries running through the whole series of professional grades, the Board had a pool of lawyers of practically the same number. I think there were 15 additional lawyers who could be called upon to help us in emergency cases. And each of us had both a secretary and a stenographer and, in addition, we had another pool of secretaries and stenographers who could be called on in an emergency. So that it caused little inconvenience if we lost one individual, because there were some experienced persons whom you could call on either for legal services or secretarial services to carry on.

But when either one of those two, the secretary or law clerk, leaves the judge's office, you have a complete break-down and the judge goes back to doing personally the things that would be done by the great staffs of clerical and professional help in any executive branch. So it is the contrast between those things which struck me and if you say "This is wartime and is no time to consider things of that kind"—

Mr. ANDERSEN. May I interrupt at that point? I would like these gentlemen to understand that my remarks had nothing to do with that particular paragraph.

Justice MILLER. I did not so understand; I just generalized. I would not want you to think—

Mr. ANDERSEN. It had to do with giving new law clerks to the district judges.

Justice MILLER. I think it is a fair question; I think it is a question we are bound to answer in any justification. I am glad to have an opportunity to do it. But, as I say, I am looking at this from quite a different orientation than we have had heretofore.

Mr. O'NEAL. May I ask you one question: In this executive type of personnel you mention, do you think the change from a maximum of \$2,600 to a maximum of \$2,900 would affect that situation very materially, or from \$2,600 to \$3,000? Would that very materially affect the situation such as you describe?

Justice MILLER. Frankly, I do not think it will make a great deal of difference. It will help a little. That is why I am here. When our committee reports, we are going to report on an entirely different basis: we are going to propose a professional classification.

Mr. O'NEAL. It occurs to me that while the arguments you make there are legitimate arguments, it certainly does not change the situation very much where you effect an increase of only the amounts shown in here, and I am glad to hear you say you do not think it will materially affect the situation.

PERSONNEL TURN-OVER

Justice MILLER. It will affect it to this extent: In a particular case, for example, we may be able to hold someone for at least another

year as law clerk. Consider the last two I have lost, who were paid a maximum of \$2,600. They both went to the district attorney's office at a beginning salary of \$3,200 at the end of a year, just as I got them trained.

Mr. O'NEAL. Well, that salary would be beyond anything in here.

Justice MILLER. But possibly I might have held them for another year if they could have been moved up to \$2,900.

Mr. JOHNSON of Indiana. When they got in the Attorney General's Office, did they have a further chance of advancement?

Justice MILLER. Oh, yes; definitely.

Mr. JOHNSON of Indiana. And they have advanced?

Justice MILLER. They get then into this series of professional classifications and move right on up.

Mr. JOHNSON of Indiana. They undoubtedly understood that when they started—that it was an opportunity to get into a line of work which would permit them to advance, and probably that was the moving cause for their leaving?

Justice MILLER. That is why we lost them.

Mr. ANDERSEN. What puzzles me in this connection is, why do you not ask for the same basis to start as the F. B. I. has today?

Justice MILLER. That is exactly what our committee is going to ask for, when the time comes for us to report. As Mr. Chandler explained, our committee is at work and we have not made our report yet; but since these are items upon which the conference had already passed—in my opinion temporizing with an immediate situation that came up—our committee came to bat to help justify, hoping to get a third of a loaf if we could not get a whole loaf. But we are going to ask for a whole loaf a little later. Some of these days you are going to see a program which will be quite a challenging change from that which has gone before. You may not approve it, but at least we will put a lot of persuasion into the presentation of it.

Now, so far as the immediate justification is concerned, let me suggest the following items and I think, starting on my premise that the work of the courts is fundamental, these arguments are all just as applicable to employees of the courts as they are to private industry or to the Government.

The Little Steel formula, which the War Labor Board set up, says that all employees who have received less than a 15-percent increase since January 1, 1941, should have a 15-percent increase, and those receiving substandard wages may have one in addition to that. My position is that these folks in the courts are definitely on substandard rates of salary and have been for years, and the application of that formula would far more than justify the increase suggested here.

Let me call your attention also to a statement made by Mr. Wayne Morse, a member of the War Labor Board, speaking in connection with a dispute which arose between State governments and their public employees. He said:

The War Labor Board has not made an exhaustive study of prevailing wages among Government employees, but such data as are at hand adequately support its taking judicial notice of the fact that large numbers of public employees are not paid enough to maintain a standard of living of health and decency. In fact, it is a rather interesting commentary that the people

of the country acting through their elective representatives have imposed, during recent years, such relatively high standards of labor conditions upon private industry but at the same time have maintained such low standards in public employment.

Mr. O'NEAL. On that point, Justice Miller, may I ask you, are any of the benefits of retirement and that sort of thing which go to Government workers applicable to these workers?

Mr. CHANDLER. They are.

Mr. O'NEAL. Because that does give them a little bit of an edge over the steel worker that you are speaking of.

Justice MILLER. Yes.

Mr. O'NEAL. And that should be taken into account.

Justice MILLER. But the steel workers have a social-security system, operating in their favor.

Mr. O'NEAL. And the steel formula you speak of is not what the Government has.

Mr. CHANDLER. The Government's contribution to the retirement fund for these employees is quite small.

Mr. O'NEAL. But, in making the comparison, that should be mentioned, if you mention the steel formula.

Justice MILLER. At the same time, I think there should be considered the fact that the steel people also get the benefit of the Social Security Act to provide for them; but whatever the difference is, it should be taken into account, definitely.

As I have already indicated, the result of the present policy in the courts is a disastrous turn-over. Among other things, in the preparation of our report, we are going to provide statistics showing just how frequently these folks do leave our employment. I think it is assumed in private industry and in most governmental organizations, that frequent labor turn-over is disastrous to effective work. I have already indicated what happens in the case of our law clerks. Now I should say that nobody in my opinion is to blame for this except the judges themselves. I should say that the judges have been following what I call a starry-eyed theory, probably going back to the time when most of the judges were teachers—and some of them still are—and they thought if you gave the young fellow a chance to come in and work for a judge for a year or two, it would be a fine thing for him and would be a method of education.

Mr. JOHNSON of Indiana. And it really is.

Justice MILLER. It is a fellowship which is a splendid training. Then he gets to the point where he becomes very efficient in 3 or 4 months, and then the district attorney or somebody takes him over and uses him from that point on.

But here is the difficulty with that. In the Supreme Court, where the prestige is very great and where, I understand, they can pay as much as \$3,600, the result is it brings to them, let us say, the best men in the graduate class, such as the law review editor, and a man so superior that he probably is a pretty good law clerk when he starts. When it gets down to the circuit court, we used to get a pretty good type of man there also; but, when it gets down to the district court, it is terrible. The prestige is not sufficiently high to attract the kind of fellow we want, and the salary paid is so poor that I do not wonder at all that the district court judges were not enthusiastic about asking for law clerks earlier; but, as they have begun to experiment with them,

they have become much happier about the idea. If we can get reasonably good professional salaries for their law clerks they too will be well served.

But what has immediately happened is this: Those judges, a lot of them, have been getting young lady graduates of law schools; getting them as secretaries and expecting them to serve in both capacities, as secretary and law clerk. You must remember that the woman lawyer has had a greater opportunity to get a law clerk job because we have not found in this country many work opportunities for women lawyers—I have been getting returns from a lot of them since I started to work on this subject—just because there has not been much of an outlet for a law-trained woman until the present time. Now I understand that private law firms have begun to employ women lawyers, and the prejudice against them is breaking down because of wartime needs.

Mr. JOHNSON of Indiana. Has it not been your experience that the average law clerk appointed to such a position was not seeking it for a career but for experience?

Justice MILLER. In the courts, I should say that is true; but over in the tax court, they seek it on an entirely different basis.

Mr. JOHNSON of Indiana. That is right.

Justice MILLER. The man I had over there I think had been with the Board almost since it started, getting a salary of \$6,000, and looking upon it as a career, and a very well-trained man.

Mr. JOHNSON of Indiana. And probably had never engaged in practice himself?

Justice MILLER. He may have engaged in it a little, but he was the type who was not particularly happy in practice. There is a type of lawyer—

Mr. JOHNSON of Indiana. In other words, he was a student?

Justice MILLER. Exactly. There is a type of lawyer that will fit into a large law office and become an inside man or get into that sort of department and become a career man. Of course that has always been true in the Department of Justice and in the other Government organizations, but you never made that possible in the courts, because you never made the salary high enough to keep a man on. And what I am thinking of is a salary rate that will make it possible to take either a youngster just out of law school or a more experienced man. If the youngster wants to stay only a year, and if the judge wants him to, all right; in fact, if a particular judge wants that sort of system, let him use it; on the other hand, let us make it possible for the other judge to use another system and have a lawyer who will really help him. I hope that will occur in increasing degree, because the product of the courts will be greatly increased and improved if we can have that more experienced type of service.

Mr. JOHNSON of Indiana. Do you feel that a salary of \$2,300 is too small for the young man just out of law school?

Justice MILLER. It is now, yes, because the demand is so great. It is not a matter of how much he is worth; it is a question of what the market calls for; it is the present price.

Mr. JOHNSON of Indiana. Have you had any experience with the older practitioner who probably is a good lawyer, a good research lawyer, a good reasoner, but somehow or other has not been able to get business?

Justice MILLER. Yes, I have, because it happens I sat on one of the examining boards of the Board of Legal Examiners. We had several of those fellows before us. Some of them are pretty good and some as you say cannot just quite click in practice.

I suspect that once in a while you could get a man of that type who would be very happy in court work if you could pay him \$3,500 or \$4,000. I see no reason why it should not be possible to take in a man of that type. But of course, that goes beyond the present program. That is a part of the larger program.

As I indicated a moment ago, if this were merely a matter of taking care of the present distress of judges who have come into this situation more or less unwittingly, we would not be on such good ground. I think, however, it is a very serious problem from the point of view of the work of the courts themselves.

I made a study some time ago of the number of cases which courts handle. In the days of the great John Marshall the judges wrote an average of five cases a year. Marshall wrote more than his share of the total, and the other judges wrote less than five. That was the average. They would spend, perhaps, a week or two hearing arguments. Then went into every remote detail of the case, and when they got through with the job it was pretty well done.

Those were the days when the fellowship idea was a good idea. But the courts now are on a streamlined basis, and we are supposed to take care of a vastly increased number of motions and cases. We have gotten into a situation where quantity and quality call for a properly organized structure—clerical, legal, and otherwise.

Mr. O'NEAL. Most of the courts are very far behind in their dockets?

Justice MILLER. Yes, they are, and the answer usually has been, "more judges." Frankly, if you had a better organized personnel you would go a long way in taking care of the situation today, and for a very simple reason.

The principal job of the judge is a judgment job, calling for freshness of mind, energy, contemplation, and deliberation a pretty high level.

Mr. O'NEAL. Would he not have a more complete knowledge of the case if he had the assistance of a law clerk than otherwise?

Justice MILLER. Yes, I think infinitely more. The judge would act upon the assistance he gets now and much more; because if he had a capable man working with him on each item he would be able to check the judges' work on each item.

Thus my clerk checks me on references to the evidence, the record, citations, steps in procedure, and so forth. He verifies citations and runs through cases and checks to see whether a case is still the law, whether it has gone to the Supreme Court, and what has happened to it there.

That kind of work is a lawyer's work, and every lawyer starts out on that basis. In private practice the lawyer expects a lot of this work to be done by law clerks.

Whenever the judge's personnel organization breaks down the judge goes back to doing that kind of work himself. It means working on Sundays and at nights doing law clerk's work. The result is staleness; a loss of capacity for deliberation and judgment in forming his opinions.

Justice MILLER. Mr. Chandler wants me also to speak of two or three other items which none of the others will speak of.

One has to do with the probation officers, and I think you have explained that, Mr. Chandler.

Mr. CHANDLER. Yes. But I would like to have this committee realize that your committee knows of their situation and appreciates what the conditions are.

Justice MILLER. We have endorsed that recommendation and also that with reference to the assistants in the clerk's office.

We have made a preliminary recommendation on these particular subjects, and we go all the way with Mr. Chandler on these recommendations.

Mr. O'NEAL. We appreciate your statement very much, Justice Miller.

THURSDAY, MARCH 4, 1943.

NEED FOR ADDITIONAL LAW CLERKS

STATEMENT OF HON. JOHN C. KNOX, SENIOR DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK, AND CHAIRMAN OF THE COMMITTEE OF THE JUDICIAL CONFERENCE ON LAW CLERKS FOR DISTRICT JUDGES

Mr. O'NEAL. Judge Knox, the committee will be very glad to have a statement from you at this time in reference to this subject.

Judge KNOX. Mr. Chairman and gentlemen of the committee, at the last meeting of the judicial conference, the Chief Justice appointed a committee of district judges to bring to the attention of Congress the need of district judges in some portions of the country for the aid and assistance of law clerks in the performance of their judicial duties. That committee consists of Judge Healey, of Boston; Judge Kloebe, of Toledo; Judge Ganey, of Philadelphia; Judge Hayes, of Wilkesboro, N. C., and myself, of New York.

Subsequent to the meeting of the judicial conference, the senior circuit judges of the country canvassed the district judges of their respective districts for the purpose of ascertaining which of them needed, and really wanted, the aid of a law clerk. As a result of the poll, the several circuit judges certified that, in the aggregate, Congress should make provision for 81 law clerkships, in addition to the 33 similar positions now authorized throughout the United States. In other words, if the certification of the circuit judges should be followed, we would have a total of 114 law clerks. We now have about 185 district judges.

In December of 1942, the committee of district judges, of which I chance to be chairman, met in Washington. Judge Kloebe, unfortunately, could not be there. However, the four other committeemen frankly discussed, and at length, the entire situation with which we were confronted in carrying out the duties assigned to us by the judicial conference. We were unanimously of the belief that, in many districts, the judges were not only entitled to the services of a law clerk but that such clerks are absolutely essential for the prompt dispatch and the better rendition of judicial work.

In districts where there are large populations—such as New York, Chicago, Philadelphia, Boston, Washington, and Los Angeles—the district courts are almost continuously in session. Calendars are crowded and litigants press for trials. And when a trial has been had the parties in the interest, as well as their attorneys, are impatient for decisions. Many of the cases cannot be decided from the bench. They have to do with patents, copyrights, reorganizations of corporations, and are attended by intricacies of fact and law that must, in the very nature of things, be the subject of detailed inquiry and legal research. Records are large. I had one before me in connection with the *Penney case* of 10,000 pages which had been brought before a special master. There were briefs amounting to 2,000 pages. There were 19 separate lawsuits, and that case came to me cold. In order to become familiar with the case I had to sit down and study the record. The special master exonerated Penney on the statute of limitations, and I held him liable for \$2,400,000. That case is now before the circuit court of appeals. I had to sweat blood over that case for months in order to familiarize myself with the details of the many intricate affairs that took place in Florida.

That is an illustration of the type of cases we have to deal with.

As I said, records are large, briefs are voluminous and these, if an intelligent and just decision is to be reached, must be the subject of study and consideration. No judge, whatever his ability and experience, can do this work promptly if he at once engages in the trial of another case. He must, if the first case is to be determined seasonably, retire to his chambers, and permit another important litigation to await completion of the work incident to the consideration of the case already under submission.

Meanwhile, the persons interested in the suit that awaits trial, will fume and fret, and complain of the law's delays. And so, matters frequently go on indefinitely.

At this point, someone may ask if it is my expectation that the law clerk of the busy judge to whom I have just referred, will decide the case that has been taken under consideration.

I hasten to say that I entertain no such thought. But, nevertheless, there is much that a law clerk can do while his judge is upon the bench. These things include a perusal of the briefs, a study of the cases that are there cited, the preparation in concise form of the facts of the case, together with a statement of the basic principles of law to be applied to such facts.

If these be supplied to the judge, he will soon be in a position to see the merits of the controversy and decide accordingly. He can then orally outline his opinion and, with such suggestions, the law clerk can write a draft of what the judge has told him. Once this is completed, the judge will check it over and make such revisions as seem to be necessary. The result will be that he will be relieved of much of the utter drudgery to which, day in and day out, he is now subjected.

Fundamentally, I suppose there is but little difference between a judicial opinion in a lawsuit, and the reasoned statements of a responsible Member of Congress, who, upon the floor, delivers a prepared speech upon one side or the other of a controversial question. In each instance, much of the opinion, or the speech, is, or should be,

the product of subordinates. But, in the last analysis, the judicial opinion—in the same manner as the speech of a statesman—should be the result of the enlightened judgment of the man who accepts responsibility for its utterance.

In this respect, no conscientious judge and no conservative legislator will delegate the functions of his office to his clerk or secretary. These subordinates can do the spade work of the occasion, but the creator of the final product must always be that of the man who stands behind the statements contained in either the opinion or the speech.

In metropolitan districts, a Federal judge is constantly pressed for time to devote to the consideration of cases he has under advisement. Court usually convenes in such districts at 10 or 10:30 a. m. Let us assume that a judge reaches his chambers at 9 or 9:15 a. m. I usually am a bit more tardy and that is because of the fact that I remain in my office until 6:30 in the evening, and spend a good part of the night between dinner and 12 o'clock in reading records and briefs. But let us suppose that Judges Healey and Ganey reach their offices at 9 a. m. Upon arrival there, their mail will be confronting them. That must be read and answered. In order to answer the communications upon their desks, it may be necessary to send for the clerk of the court, or, perhaps, have a consultation with an assistant United States attorney, about some case that has been entirely forgotten. Sometimes, too, a probation officer must be sent for, and consulted. No fair-minded judge wants to be a party to a possible injustice. Some statement contained in a letter of the morning's mail may necessitate investigation, and investigation must be started. By this time, the judge is due upon the bench. As he goes through his outer office, he sees attorneys who were engaged in a case recently on trial before him. In their hands they have findings of fact and conclusions of law upon the decision that previously has been made.

I had findings of fact in one case running into hundreds, and each one had to be checked because the circuit court of appeals relies very largely upon those findings. Each conclusion of law had to be studied very carefully.

These are, most often, in disagreement. The difference, if possible, must be reconciled. If this is out of the question, some determination of the merits of one order over the other must be made. Obviously, with a jury and the litigants in the next case waiting for attention, the judge proceeds to his courtroom. He asks the attorneys to see him late in the afternoon. Upon reaching his courtroom, the judge goes upon the bench and engages in the trial of another case. Let us say that it is a trial before a jury. Most cases of this character can be taken in their stride. But this case is out of the ordinary. A jury has been selected and sworn, and counsel for the defendant then raises a question as to the jurisdiction of the court. Attachment of funds of a foreign corporation may be the basis of jurisdiction, and, in such a suit, the law can be both technical and involved. Decisions must be read, and the law there declared, applied to the facts of the case at bar. In order to do this, court must be adjourned. During the interim, counsel, witnesses, and jurors must await the convenience of the court. In such instances, there is a waste of both time and money.

If, however, the judge about whom I am talking, had a law clerk, the Government could save much that now goes to waste. A competent clerk, when his judge has gone upon the bench, could take with the attorneys who, in the morning, had submitted opposing orders and decrees. In all reasonable probability, the clerk could iron out the difficulties between the lawyers; and the judge, upon his return to chambers in the late afternoon, would have time to devote his attention to other duties. Furthermore, the law clerk, when the jurisdiction of the court was challenged in the judge's courtroom, could look up the law upon the question involved. The judge, by reserving decision upon the point that had been raised, could proceed with the trial of the case. Should the law show the question to be without support, the suit would be well upon its way to a conclusion. The time of everyone would have been conserved, and justice would have been without the leaden heel it so often carries.

Members of Congress, I know full well, have to care for correspondence that is of the most voluminous character. Answering letters of constituents, I have no doubt, is a prodigious task. Facts must be ascertained, consultations with departmental officials must be had, and often, I dare say, Congressmen are compelled to express themselves upon the state of the Nation. But, great as may be the burden that is thus placed upon a Congressman, one fact remains, and it is an important one—he has a secretary and office staff upon whom he may call for aid. But district judges, in most instances, are without recourse to such assistance. I make no pretense that the mail of the average district judge is in any ways nearly as voluminous as that of many Members of the House. Nevertheless, if any one supposes that the mail of a district judge is insignificant, he is utterly mistaken. In densely populated districts, particularly, each district judge is more or less responsible for a constant prison population of from 75 to 100 persons. Men in jail are prolific letter writers.

In each penal institution, there is a jail lawyer. He is forever giving advice to his fellow convicts. The result is that prisoners frequently write to the judges who sentenced them. The subject matter of their communication may run anywhere from their parole status; the probation to which they will be subject upon their release from confinement, to an appeal for the revision of the sentence originally imposed. The judge, as respects many of his correspondents, will have entirely forgotten the facts of their cases. To refresh his memory, he, too, is under a duty of looking at the docket of the clerk, of talking with the probation officer, of considering whether the prisoner has a just complaint. All this consumes time and, unless the judge's secretary is exceptionally competent, the judge himself must carry on such investigation of facts as may be required.

If, in this work, he had the aid of a law clerk, his time, energy and effort would be greatly conserved and might be devoted to work of a strictly judicial nature.

I have the administrative work of the southern district of New York where we have 13 resident judges, and where there are usually from 2 to 3 from outside of the district, and the administrative work is

enormous. We have referees in bankruptcy, probation officers, and what not.

Gentlemen, I have been a district judge for almost 25 years. As a result, I have some knowledge of the job, and I say to you candidly and sincerely, that many of the judges of these courts, if they are to do their work promptly and competently, need, and should have, the assistance of law clerks.

As for myself, I have had one for 10 or 12 years. Without his assistance, I would be in my chambers from one-half to two-thirds of my time, so great are the administrative details of the court over which I preside. With his assistance, I am able to be in court to an extent that equals the court time of any of my associates, with one or two possible exceptions.

As respects myself, I know that a law clerk is a distinct economy to the Government. The same would be true to a greater or lesser degree if law clerkships were more widely distributed throughout the country.

In my judicial life, I have sat in various districts, both urban and rural. New York, Chicago, and Los Angeles are representative urban communities. Jamestown, Canandaigua, Buffalo, Hartford, New Haven, and Albany may be said to represent the areas of relatively small populations. Hence it is that I know that numerous judges have duties much less tedious and burdensome than some others. In some districts, there is almost a complete absence of the heavier types of litigation. Take Vermont, in my own circuit, as an example. The Federal judge of that district is a highly competent judge and a man of ability. At no time does he work under undue pressure. If he has an admiralty case once a year, I venture the guess that it is unusual. The decision of patent suits give him no uneasy nights. He has before him few, if any, complicated reorganization proceedings. Other litigations are relatively few. As a result, that judge is able, frequently, to come to New York and help us with our work. That judge, so far as his own district is concerned, has no need of a law clerk and he has asked for none. The same is true as respects the judges of many of the country's rural districts. In between districts, such as southern New York and Vermont, there are other localities where judges could well use law clerks, but who, at the present time, can manage to get along without them.

NUMBER OF ADDITIONAL CLERKS REQUESTED

Thus it was, when my committee met, in December, we came to the conclusion that, for the present at least, 81 additional law clerkships should not be created. As a consequence, I was authorized to communicate with the senior circuit judges to ask them to revise their estimates of the needs of the district judges within their respective circuits. Replies to my communications, with two exceptions, came from each circuit judge. As a result of such revisions, my committee now asks that no more than 50 instead of 81 additional clerkships be now authorized.

My committee has no more desire than have the members of this committee to loot the Treasury, or to appoint anyone that we do not believe really needs to be appointed.

Mr. O'NEAL. When you referred a moment ago to 50 clerks, you meant 50 additional ones?

Judge KNOX. Yes.

If our request be granted, the matter of their distribution needs consideration. For the present, the second judicial circuit can get along with three additional places. The request of the first circuit—two more—should be granted. The needs of judges in Philadelphia, New Jersey, Boston, Baltimore, Washington, Chicago, Los Angeles, and, San Francisco—together with the judges in Oklahoma, are especially entitled to consideration.

Notwithstanding the fact that we have this great number of judges we are quite willing to split the clerk's time up so each of us can have part of his time in looking up questions of law. We would like to have and really need one for each judge, but from the standpoint of economy at this time, we feel we are not justified in asking for a law clerk for each judge in our districts. But we think that the men in these cities I have mentioned are particularly entitled to consideration. That is true in Judge Healey's district and it certainly is true in Baltimore, where Judge Coleman and Judge Chestnut have to deal with litigation of the utmost importance. They certainly are entitled to the services of more clerks.

These men are overworked. They deal with important cases, and so far as can be done, they should be afforded relief. My suggestion, if you look with favor upon the request we make, would be that the Congress authorize an appropriation sufficient to cover the salaries of 50 additional clerkships. The need for law clerks is the same in no two districts. Neither is it the same in any two circuits. The need depends upon varying conditions. And these, in turn, are to be determined by the pressure of judicial business, the importance of that business, and the ability of particular judges to discharge the duties incumbent upon them. In my opinion—and with due respect to Congress—these factors, and their relative importance can best be weighed by the agency that is in closest touch with the business and necessities of the several district courts.

Whether that agency is the Administrative Office of the Judicial Conference I do not pretend to say, but it seems to me that you cannot say that each circuit, simply because it is a circuit, is entitled to so many law clerkships, because the factors are entirely different.

Take, for instance, some of the States in the West. In those large areas the work is quite different than it would be in Los Angeles, San Francisco, or Seattle. So I believe that if the number of law clerkships is to be increased distribution should be left to an agency that can say, this district has so much work, and this man handles so many cases, and we are going to assign to that person a law clerk. It is a very nice thing to have one, and from the standpoint of principle I think each judge is entitled to a law clerk. But I am not coming before this committee and asking for the appointment of a law clerk where I think none should be appointed at this time.

Mr. O'NEAL. We thank you very much for your statement, Judge Knox.

Judge KNOX. Mr. Chairman, I would like to ask Judge Healey to make a statement, if he desires to do so.

Mr. O'NEAL. If you care to make a statement, Judge Healey, we will be glad to hear you.

Judge HEALEY. No, Mr. Chairman, not at this time. Let Judge Groner proceed.

Justice MILLER. Mr. Chairman, may I say that in the study we are making we are studying the proposition that the senior circuit court judge and the senior district judge should be allowed an administrative assistant which will bring him into the classification of one qualified to do not only secretarial but administrative work, which is very important in the executive branch. That would mean that Chief Justice Groner and Judge Knox, who have acquired during recent years administrative burdens of a type just as great as those in the executive branches, would be relieved of those burdens.

DISTRIBUTION OF ADDITIONAL LAW CLERKS

Mr. HENDRICKS. Judge Knox, do you have any idea now as to where the distribution of these extra law clerks should be?

Judge KNOX. I took that up with the committee, and our committee reached the conclusion that we would not recommend 81 additional clerkships.

Mr. HENDRICKS. What I meant was, do you have any idea at the present time, supposing we gave you 50 law clerks, how you would distribute them?

Judge KNOX. More or less; yes. I have not heard from two circuit judges, but after the committee reached the conclusion I saw Mr. Chief Justice Stone and told him that we would not sponsor the requests that had been made, and he was entirely agreeable to that, and said that I might write to that effect to each of the circuit judges, and that he understood what I was saying to them.

I had a letter from the senior circuit judge of the first circuit saying that they could get along under the circumstances, and in view of what I said in my communication, with two additional law clerks.

In the second circuit, three.

In the third circuit, five additional clerks. They are terribly overworked in New Jersey. I suppose the courts of New Jersey are as bad, almost, as any district in the country.

Another thing we have taken into account is that, as time passes on, a lot of these judges in some of the districts are not as young as they were.

Mr. HENDRICKS. Can you tell me how many clerks you have assigned to the fifth circuit?

Judge KNOX. They want three additional clerks. Some of the judges in Florida do not need them, but nevertheless I think several of them have espoused this cause.

Mr. HENDRICKS. That is the reason I asked the question. I had a letter from Judge Strum, for whom I have great admiration—I think everybody does—and he mentioned the fact that you would make the presentation; but I believe he agreed with you that you should not have the 81 clerks.

Judge KNOX. In the fourth circuit they want two additional law clerks. They originally asked for five.

In the sixth circuit, two additional clerks.

In the seventh circuit, there is a situation that is peculiar as far as Chicago is concerned. I was in communication with Judge Evans, and he says that the judges in Chicago want no law clerks unless each one of them can have one for his very own. Now, I can understand that because, being the senior district judge in my district, I am a sort of housekeeper, and they hold me responsible for everything that goes wrong. The other day one of the judges came to me and said, "I want this clerk assigned to me, and some other judge has him for this week." Then I say, "I will not interfere with it at all, and you judges will have to settle your own differences." Then they say, "You are a fine judge, if you won't exercise your authority."

Mr. O'NEAL. There will be no strikes or jurisdictional disputes, or anything of that sort?

Judge KNOX. No; I think not. But I can understand their point of view; because if you are working on a case, and you have got to share a law clerk with some other fellow when he is in the midst of a case on which he is working for me, and then you lose him, it is something.

Now, we really ought to have, as man to man, a law clerk for each district judge in New York; and I do not mean to disparage at all the request that is being made in Chicago. But we will get along. Outside of Chicago, I think they want two additional law clerks.

In the eighth circuit they ask for six clerks. They originally asked for 15.

In the ninth circuit they asked for 10 clerks. I have had no word from Judge Wilbur, who is the senior judge there. He has been ill.

In the tenth circuit they ask for one additional clerk.

In the District of Columbia I do not know what they can get along with in the way of an increase.

Justice GRONER. Three.

Judge KNOX. Three, I think you said in your letter.

Mr. O'NEAL. I wonder if we can put that statement in the record?

Judge KNOX. Yes.

(The statement referred to is as follows:)

Additional law clerks to United States district judges, pursuant to the report of the Judicial Conference of Senior Circuit Judges, September session, 1942, pages 6 and 7

Circuit	Additional certifica- tions as of Oct. 12, 1942	As a result of the com- mittee's action re- duced to—	Circuit	Additional certifica- tions as of Oct. 12, 1942	As a result of the com- mittee's action re- duced to—
First.....	2	2	Eighth.....	15	6
Second.....	12	3	Ninth.....	10	10
Third.....	13	5	Tenth.....	2	1
Fourth.....	5	5	District of Columbia.....	3	3
Fifth.....	3	3			
Sixth.....	7	2	Total.....	81	44
Seventh.....	9	17			

¹ Includes 1 each for the 5 judges in Chicago.

² No answer from Judge Wilbur due to illness.

Judge KNOX. What I was trying to do was to reduce this to a minimum, and I have not attempted to prejudice the ninth circuit, because I have not heard from it. Now, southern California is overwhelmed with business. I have sat there, and I know precisely what they have to contend with. Judge McCormick is overworked, and practically every judge out there; and please do not get the idea, from what I have said, that I wish to suggest in any way, shape or form, whether or not the number that is requested for the ninth circuit should be reduced.

Mr. ANDERSEN of Minnesota. Judge, let us take any private business firm. They do not wake up overnight, do they, and find out suddenly, even though they have gotten along to this date with their personnel, that they need an increase representing, as in this case, approximately 30 percent?

Judge KNOX. I think sometimes they do. I think that we have been long-suffering.

Mr. ANDERSEN of Minnesota. I agree with you, Judge, that perhaps there are certain cases that need remedy; but I would like to receive a little further discussion from you as to why we have to jump at this time—that is the main thing in the back of my mind—up to 50 extra clerks for these judges. There remains in my mind that up to date these particular judges have gotten along without these clerks; somehow they have gotten along without them; and if you can give me a little more justification for suddenly asking for an additional 50 at this time—especially at this time—I will appreciate it.

Judge KNOX. In some districts the last quarterly report of the Administrative Office indicates the fact that business has very greatly increased.

Mr. ANDERSEN of Minnesota. I agree with you on that.

Judge KNOX. You gentlemen in Washington have passed a lot of legislation that is very difficult to interpret. We get these cases; somebody is sued, and that thing has to be gone into. The statute has to be read and it has to be weighed, and we have got to look at what you gentlemen said when the legislation was on its way through the House and the Senate, and that takes time.

For example, I have made a special drive to try cases under the Jones Act, because here is a man injured on a ship; it is very difficult to get his witnesses now; and I have tried as much as I can, instead of taking time in chambers or having the other judges take time in chambers, to sit in trial term and dispose of those cases, because these men may never come back. Here you have these espionage cases, the sabotage cases, the draft cases, the writs of habeas corpus for boys going into the Army, and all these things take consideration, and in some of the districts around the camps these cases are greater than they are immediately in New York. It is not that we are just waking up to our need for law clerks, but it is that we have become articulate, and we are asking for what every business house in these days is getting, and what every bureau in Washington, so far as I know, is getting, as a necessary tool with which to work.

Mr. ANDERSEN of Minnesota. I would like to show you some of the personnel that some of these bureaus in Washington could very nicely get along without. But this committee is here to try to prevent

every bureau from running wild, so to speak; and while we recognize that many of you judges need these additional law clerks, I am wondering if they could not get along with 20 extra clerks instead of 50.

Justice GRONER. Mr. Chairman, if I may be permitted, I should like to suggest at least one additional reason that Judge Knox, if I recall correctly, did not state.

This is not, as you may have the impression, a brand new proposition.

Mr. ANDERSEN of Minnesota. I recognize that, sir.

Justice GRONER. I have unfortunately had the laboring oar in asking for these appropriations for a great many years, and I am delighted to have these gentlemen here say what they have so well said today. But 5 years ago this matter was brought to the attention of this committee. Three years ago, as I recollect the time, the committee, as you have already heard, started out on the policy of providing for two or three law clerks for each of the circuits annually, and in each of the Judiciary Appropriation Committees we have shown that that was simply temporizing with the situation; that it was not meeting the situation, and that, as a matter of fact, the 50, 60, or 70 that are being requested now were necessary then. But those were hard times; times in which there was little business in the country, and more or less of retrenchment of every kind except in certain public expenditures for public buildings, and so forth.

All that I want to say is this: that the subject that you have heard quite fully in Judge Knox's statement is not a new thought, is not a new endeavor to increase the personnel in the judges' chambers, but it is a thing which has been urged from year to year before this committee or before its predecessor committee, and which has been, as I say, compromised from year to year until last year, by the addition of one more per circuit; and last year, as Judge Miller read to you, the committee said that it was not in the interest of the war that the appropriation should be made at the time. But there is no question of doubt about the fact that from the standpoint of economy in the proper and correct sense of that term and the better administration of justice, the district judges ought to have proper tools with which to do their work.

Judge Knox and I went on the Federal Court about the same time. We have both been on the court nearly a quarter of a century. I was 12 years a district judge in a very busy court, and I had no law clerk, but I had a secretary, and I did the best I could. But the work of that court, for which two judges have now been provided, would unquestionably have been much more expeditiously and, I think, much more satisfactorily performed if I had had the assistance of a first-class law clerk.

One thought that I think has not perhaps been suggested here is this:

District judges go into court, and they are confronted on the spur of the moment with difficult legal questions, to which, in most instances, they have to reply then and there; at least before the conclusion of the case; and if they reply erroneously, they are reversed in the upper court. I have not the slightest doubt in the world that

many of those mistakes—acts which the appellate court calls mistakes—would have been avoided if they had had an opportunity to put to work a first-class law clerk and have his citation of authorities and his review of the subject before the question had to be decided.

In addition to that, under the rules of the Supreme Court and of the several circuit courts of appeals, the district judge is called upon to file in every case except, of course, the ordinary common law case in which the question is submitted to a jury, a statement of the facts; a finding of facts; and it is a very important part of the function of the judges, and a very helpful thing to the appellate court, to have such a finding of facts. When a case comes up from the district judge in which there is a decision without a reason for the decision, it is frequently a matter of difficulty to know on what ground the case was actually decided, where there are several grounds on which it might have been decided, and it is extremely helpful to have the finding by the judge, who saw the witnesses, of the facts of the case.

In every admiralty case, in every patent case, and in every equity case, the judge, in order to do himself even partial justice, has to write a memorandum opinion. Now, those things cannot be done directly and the ordinary trial work of the court be kept up, unless the judge has somebody to assist him to do it—unless he works himself to death.

So the proposition now to have 50 additional law clerks, which I think is the minimum, is neither a new thought, nor brought about as the result of an anxiety on the part of the judges to have additional assistance. It is merely the ripening of a consciousness that has existed, and has been explained—inadequately, perhaps, but explained from year to year to this committee for the last 5 or 6 years, to my definite knowledge, since I have been here.

So I say that the matter is of real importance in the proper administration of justice, and the small amount of money which is involved I think will be amply repaid. As a matter of fact, the district courts of the United States pay their own way. The money that Congress appropriates for the salaries of the judges and the payment of the clerks of the office force and the payment of the judges' assistants—while I am not sure of the exact figures—is substantially balanced, if not exceeded, by the amount of collections of fines and costs imposed by the district courts. So the court is not a burden on the Government, and, God knows, if there is one thing that is important in this time of travail and strife and uncertainty such as we have today, and such as we confront in the future, it is that our courts shall function promptly.

So I hope, gentlemen, just as earnestly as I can, that this matter will not be permitted to be put to one side for the time being with the polite remark that this is not the proper time but that it will be taken care of hereafter and the appropriation will be granted.

Now, the chairman said a moment ago to Judge Miller—and I think Judge Miller probably misunderstood—as I recall it, the suggestion of the chairman was that in this appropriation for the circuit courts making provision for secretaries and law clerks, an additional

amount should be laid aside to pay the law clerks and a smaller amount laid aside to pay the secretaries.

Mr. O'NEAL. It might be preferable to have a lump sum allocated.

Justice GRONER. A lump sum; yes. Now, I think this, as a result of my experience on both the trial court and the appellate court—I think the secretary to a judge is about as important a part of his machinery as there is, and the secretary, as a rule, holds a prominent position. The judges, taking them by and large, I suppose, rarely change their secretaries more than, we will say, once in 5, 6, 8, or 10 years.

Judge KNOX. Why not say 20 years?

Judge GRONER. Yes; I might make it 20 years. So I think it is very important to have an incentive to the secretaries. There is not a secretary in our court who could not go over to the Department of Justice tomorrow at a higher salary as an expert typist and an accomplished secretary, with all the duties of that position.

Now, I think the subject has been sufficiently explained, and I am sure I could not add anything to it.

STATEMENT OF HON. ARTHUR D. HEALEY, UNITED STATES DISTRICT JUDGE

Mr. O'NEAL. Thank you very much, Judge Groner.

Now, Judge Healey, we should be glad to hear from you.

Judge HEALEY. Mr. Chairman and gentlemen, it is a pleasure, of course, to come here again and meet my former colleagues, all of whom, at some time or other, have been in Congress here.

Without soliciting the place, I was appointed to serve on the committee presided over by Judge Knox. I think you gentlemen have listened to a very able presentation by Judge Knox, Judge Miller, and Judge Groner, all of whom have infinitely more experience than I have in the courts. But there are just one or two points—and I hope I shall not be repetitious—that I think I may add, and this first one is out of my past experience here.

I was a member of the Judiciary Committee when the act was passed authorizing law clerks for judges. If I recall correctly, that bill was in that committee two or three times; but we heard a number of able judges one morning, and the committee was greatly impressed with the case they made out, and with perfect unanimity on the committee we voted for this act which authorized law clerks for district judges.

I think the committee was impressed with the fact that the Federal courts had a case load which was greatly increased because of legislation which you and I, Members of Congress, had passed, and which had imposed this greater load, particularly with respect to public questions that are coming before the courts; and so we thought that the judges should have some assistance in order to transact the business of the courts expeditiously.

Now, since that time there have been only 33 law clerks authorized—or, rather, appropriations made to pay 33 clerks—for 185 district judges.

I am sure that the committee is familiar with the fact that at some time in the near future an appropriation will be made sufficient to supply each district court judge with a law clerk. I feel that I can make the statement, in all due conscience, that the members of the committee believe that that will be the final result, that the judges will be supplied with clerks.

Now, under the rules, when a case is heard by a district court judge without a jury, we must at least make findings of fact and conclusions of law in order that the circuit court judges may know the reasons for whatever action and decision we have made. Well, in my limited experience I have found that when you go into that you may just as well write an opinion, in many instances, as to write a memorandum of the findings of fact and conclusions of law. So that when you have a jury waived it means that at the end of that session we have quite a backlog of cases. Oftentimes counsel will ask for time to submit briefs and the reply briefs, and that puts into the future the date of decision.

You have heard Judge Knox's explanation of the type of work that is required of a law clerk. I cannot add anything to that, because I think he presented that very ably to you.

Now, in answer to your question concerning the young men and their possibilities under the draft, I can only relate my own experience to you. In the first circuit we are entitled to three law clerks. We have the States of Maine, Massachusetts, Rhode Island, and New Hampshire in that district, and in New Hampshire, Maine, and Rhode Island we have the type of districts which Judge Knox characterized as not being busy districts, where the men can go about their work more leisurely and do not have the great case load that we get in Massachusetts; in the city of Boston, for instance. We sit almost entirely in Boston, and from my experience is a very busy court.

Let me tell you of one situation that I had. When we completed the work in the jury waive cases, I think I had a backlog of a dozen cases which had not been decided, and which would have to be decided, and I had hoped to decide them as expeditiously as possible. When some men were arraigned before me for black-market violations, or violations of the price ceilings on tires and on meat, they were represented by able and skillful counsel. He attacked the indictments on dilatory pleas, pleas in abatement, motions to quash, and demurrers, and counsel for the Government urged that those dilatory pleas and those motions be decided as soon as possible, so that we could bring these men to trial, because if we delayed it, of course, it meant that it was only making it possible for these violations to continue.

Well, in that instance I had to give those motions precedence over everything else, and within a few days we decided all the points that were raised. The result was that in the very next couple of weeks these men all pleaded guilty and the cases were all disposed of.

But those are the times when I think the district judge needs the assistance of a well-trained law clerk who can make the research that is necessary. Of course, in this case I had to continue on with trials in the criminal court, and my law clerk was able to run down many decisions and to go into the legislative history and the congressional

records of the act, and that sort of thing, all of which was of great assistance to me.

I was going to say—I think I have gotten away from that point—that in our district we have three law clerks. Judge Wyzanski and I were appointed about the same time, and it was a question whether he or I should have a law clerk, and in a sporting manner we decided that I should have the law clerk for 1 year and he should have him for the next year. So then I had to look about to get a clerk. I was very fortunate to have a choice of two men who were in 4+F. One was totally deaf in one ear, and the other was a diabetic, but they both were men who had attained high scholastic rank. The man I finally chose was No. 1 in his class in law school. He had graduated 2 or 3 years before, and he is married, and he is totally deaf in one ear, so I do not think he will be drafted, although with the anticipated drain on manpower the draft possibly may reach him. But I think most of the judges are attempting to get men who are in that class, if they choose young men; although I see no reason, if the job was attractive enough, why some of these older lawyers with a great deal more experience, and perhaps a more mature judgment, in view of the dearth of law business, could not be employed as law clerks.

But from my experience, gentlemen, I can say to you that I think it is very essential that something be done about this situation.

Now, Judge Knox's committee met here in December. The senior circuit court judges for the 11 circuits had canvassed the situation in their circuits, and they certified the necessity for 81 more law clerks. That is, after consulting the judges and canvassing the situation thoroughly, they gave a certificate of necessity for 81 more law clerks. Well, we took into consideration the times, and that Congress was unquestionably of the mind not to make additional appropriation for any activities other than war activities. So it was the decision of the committee that Judge Knox should again canvass the situation and that he should contact all of the senior circuit court judges again to see if they could be a little more modest in their demands. So he wrote to each one and asked them to take into consideration the times, and all that sort of thing, and as the result of that, the request today is for 50 new clerks.

Now, I think, gentlemen, that it is a modest recommendation that this committee has made. It has been made as a result of deliberation and consideration, taking into consideration the times and the great necessity for appropriation for the war effort. We come before you in the interest of expeditious justice from the courts; and I know that all of you gentlemen are just as anxious as I am, or any man on this side of the table, to attain that end.

Mr. O'NEAL. Thank you, gentlemen, very much indeed, and we will give your statements careful consideration.

Justice MILLER. May I say one final word: I have here some matter which has been prepared for Judge Biggs' committee. It is being sent out to the judges for consideration. I cannot submit it for the conference, but I think it may be very serviceable to you in considering the duties of the secretaries and the clerks. It is a list of all of the things I have been able to collect on what the clerks and secretaries do.

Mr. O'NEAL. We will be glad to have that. Thank you very much.

THURSDAY, MARCH 4, 1943.

ADDITIONAL LAW CLERKS FOR DISTRICT JUDGES

STATEMENT OF HON. EMANUEL CELLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

MR. CELLER. Mr. Chairman, I would like very briefly to touch upon the matter of the law clerks for the judges.

It has been stated, and I am going to repeat it, that the act of February 17, 1936, title 28, United States Code, section 128, provides that each United States district judge is authorized to appoint a law clerk. The act says that the judge himself is authorized to appoint a law clerk when he deems that such assistance is necessary, and the senior circuit judge of the circuit certifies to the necessity of the appointment.

The law limited the number of law clerks during the first year to 35, and as has been stated, that limitation has expired. Thus full authority is now had to appropriate for all judges whose certification of necessity is approved by the senior circuit judge.

The Committee on the Judiciary was heartily behind that bill, and I am sure our former colleague, now a very distinguished jurist, Judge Arthur Healey, can testify to that because he served on the committee with me when that bill was originally drafted and approved and recommended by the Judiciary Committee. At the present juncture the House Judiciary Committee, I am sure, wishes to carry out the purpose and intent of the act, where the district judge feels that he needs a law clerk and the necessity is so certified by the senior circuit judge.

The House Judiciary Committee, while I have not canvassed all the members, I am sure no one would offer objection, and I say that law clerks should be provided for and appointed in proper number.

You will notice that there are two safeguards—one, the necessity for such a clerk in the mind of the district judge, and also the certification as to the necessity in the mind of the senior judge.

It may be that some of the judges, particularly those in the rural and sparsely settled communities, do not want a law clerk.

I think my very distinguished friend and eminent jurist, Judge Knox, has made a canvass of that situation, and he will tell you more about that in detail.

This subcommittee recommended to the full Committee on Appropriations, and that committee recommended to the House and the House adopted the recommendation for 22 district law clerks to be appointed, and appropriations were made there for the fiscal year 1941. Then there were added in the following year 11 law clerks, making a total of 33 in all.

The reasoning behind the provision for 33 law clerks was to have, roughly, 3 law clerks for each circuit, there being 10 circuits, and I presume the additional ones were for the District of Columbia.

Let us see how you can divide three law clerks among the district judges in an entire circuit.

Take, for instance, the second circuit, my circuit. We have 26 judges in the second circuit. We have the southern district of New York, with 13 judges; we have the eastern district of New York, my bailiwick, Brooklyn, with 6 judges. We also have Vermont, with 1 judge; Connecticut, with 2 judges; the western district of New

York with 2; and the northern district of New York with 2; making a total of 26 judges.

How in thunder are you going to divide 3 law clerks among 26 judges in the States of New York, Connecticut, and Vermont?

What has happened? There has developed a rather anomalous situation in Brooklyn, where we have 6 judges. When you go to the southern district of New York there are 13 judges. Judge Knox will tell you all about the difficulty in his district. Let me tell you what happened in Brooklyn.

The senior district judge there is Judge Campbell, a very splendid jurist and a fine gentleman. What was he going to do with one law clerk among six judges? He had a difficult task. He could not cut the clerk into six pieces. So that law clerk spends his time more or less in Judge Campbell's chambers or in the law library.

I inquired of a number of judges in the eastern district, which is, roughly, Brooklyn, and I said, "What do you do?" They said, "What can we do?" They are very diffident and are reluctant to ask for the services of that law clerk. They said, "We feel that the law clerk is the possession of the senior judge, Judge Campbell." I said, "Do you mean to tell me you get, under the circumstances, very little personal services out of that law clerk?" They said, "How can we, under the circumstances?"

If I were the chief judge and you gentlemen were also judges in that district you would feel the same way about it. At best, one clerk is absurd. At best, he is only useful to a judge presiding in motion part.

It is very unsatisfactory, and you may as well have no law clerk in the district if you are going to try to divide him among 6 district judges. The situation leads to confusion worse confounded to try to divide 2 law clerks among 13 district judges across the river in the southern district.

Mr. O'NEAL. Why did not the Judiciary Committee authorize the full allotment?

Mr. CELLER. You have the basic act which authorizes you to make the appropriation.

Mr. O'NEAL. Why did not the Judiciary Committee recommend the whole number?

Mr. CELLER. In the beginning we thought we should go slowly, and that is why there was a semilimitation put on with reference to the certification by the judges. We were just plowing the field in the spring, so to speak, in the early days. We were feeling our way.

The situation is that there are a great many court cases and many crowded calendars in the courts now. Clerks for each judge are now more urgently needed.

In the first circuit you have Maine, New Hampshire, Massachusetts, and Rhode Island. Maine has one district judge, New Hampshire one district judge, Massachusetts four district judges, and one Rhode Island district judge. How in thunder the senior circuit judge divides three law clerks among four States with seven judges is beyond my comprehension.

Let us see what the State of New York does. They go so far as to give the New York supreme court judges—and there must be about 75 in the whole State—they give each supreme court judge a law

clerk. They give a law clerk to every supreme court justice, at a salary of \$6,500 a year.

Mr. O'NEAL. And also a stenographer?

Mr. CELLER. Yes; in addition to the law clerk; and they have a pool of stenographers to draw from.

Let us see what this will cost. I think Judge Knox will tell you—and the judge will correct me if I am wrong—that a canvass was made to determine which judges wanted clerks, and, as I understand it, a goodly number of judges said they wanted one. I believe, in addition to the 33 now allotted, 50 additional judges said they would like to have a law clerk. That would mean, if you satisfied all those judges—and they would not have said they wished a law clerk if there had been no necessity—you would have 83 judges, and 83 times \$2,300, which is the starting salary, will give you a total of \$190,900.

The present appropriation is, roughly, for 33 clerks, at \$2,300, the amount of the appropriation being \$75,900. Therefore, in order to provide for 50 additional clerks, you would have to have an additional appropriation of \$115,000.

I said the calendars are rather jammed. We are in a war, Mr. Chairman, and, judging from the experience in the last war, those court calendars will be augmented by a much greater number of cases. You will have cases involving the Office of Price Administration, the Board of Economic Warfare, the War Production Board, the War Labor Board, and various other cases growing out of statutes involving war activities, such as espionage, the Trading with the Enemy Act, and what have you.

Mr. O'NEAL. Do I understand you to mean that this amount of \$210,000 should be modified to \$115,000?

Mr. CELLER. That would be the irreducible minimum to provide for 50 additional law clerks. I would say if you are going to do anything, at least start from that point and give 50 additional clerks superimposed upon the 33, and you will have 83 law clerks in all to provide for that many judges out of 185 district judges.

I think you will do a fairly good job if you recommend that we start at that point. I have not conferred with the judges; perhaps they have some other views.

I am very grateful to you, Mr. Chairman and gentlemen, for giving me this opportunity to express myself in the way I have.

Mr. O'NEAL. We thank you for your statement, Mr. Celler.

FRIDAY, MARCH 5, 1943.

ADDITIONAL LAW CLERKS FOR DISTRICT JUDGES

STATEMENT OF HON. E. C. GATHINGS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. O'NEAL. Mr. Gathings desires to make a statement to the committee in reference to an item in the bill we have under consideration, and we will be very glad to hear him at this time.

Mr. GATHINGS. Mr. Chairman and gentlemen of the committee, I appear this afternoon in the interest of adequate law clerks for district judges.

Just to review briefly what has been done heretofore by the Congress in providing law clerks, I would like to give you a brief history of it.

In the Seventy-fourth Congress there was provided the necessary legislation for the hiring of law clerks for district judges. That law was passed in 1936.

Probably you are familiar with this history.

MR. O'NEAL. That has been testified to; we are familiar with the history.

I would suggest that you extend your statement in the record.

MR. GATHINGS. Thank you, Mr. Chairman, I will confine myself to the current need for law clerks for district judges, more particularly in the circuit in which Arkansas is a part.

MR. GATHINGS. I come from the eighth circuit, composed of the States of Minnesota, Iowa, Nebraska, North and South Dakota, Missouri, and Arkansas. Arkansas ranks second out of those seven States in the number of cases handled by the United States district courts as well as appeal cases that go to the circuit court of appeals. I am familiar to a degree with the great volume of cases before the district courts in Arkansas in connection with condemnation, levee, and drainage work, and also accretion cases along the Mississippi River. There has been quite an increase in Federal cases, during the war particularly.

I am of the opinion that there is a great necessity for law clerks in Arkansas. I am not too well familiar with the over-all picture, but I do know that Judge Limley and Judge Trimble in Arkansas are in dire need of law clerks in order to dispose of the tremendous number of cases in their courts with dispatch. Both of these judges use their secretaries as law clerks and each of them serve as court reporter.

I would like to bring out this point, as a member of the Committee on Military Affairs: We deal with selective-service legislation, and I want to call the attention of the committee to this little booklet they have gotten out. In connection with that I want to call attention to this fact. Here is the law [indicating book], and the rest of it is regulations. So there is need for law clerks to assist the trial judges in finding out what the law and regulations are, and make a particular study of them.

These clerks are provided for the judges of the circuit courts of appeals. They have ample time for this research work, it seems to me, more than the district judges who are actually engaged in the trial of cases. The district judges have to have this information at hand, available at a moment's notice. And let me say, Mr. Chairman, I trust that these law clerks will be paid adequate salaries commensurate with the importance and technical duties they are called upon to perform.

MR. HENDRICKS. Mr. Chairman, may I ask Mr. Gathings a question which I think ought to go in the record?

MR. O'NEAL. Yes.

MR. HENDRICKS. Mr. Gathings, for the record, how many pages do you estimate are in this law and the regulations? They are not numbered.

MR. GATHINGS. I would say there are maybe 150 pages of regulations, and about 15 pages of the actual law.

MR. O'NEAL. Mr. Harvey, the clerk, informs me that there are about 200 pages in all, including 26 pages of the law.

MR. GATHINGS. Now, I am in full accord with the members of the committee who want to save money. I, too, am in favor of eliminating

unnecessary expenses, but at the same time I do not think we ought to hamstring or cripple our trial district courts in the systematic handling of the work before them.

When I came to Congress only 4 years ago there was a provision for two clerks in our offices, and I want to say to you, Mr. Chairman, and gentlemen of the committee, that at this time it is all I can do to handle my business with three. Congress provided that extra clerk, who in my opinion was needed; and these district judges are also in need of this clerk.

I do hope that you will see fit to increase the number of these clerks.

Mr. HENDRICKS. Did you know that the senior circuit judges had given this very careful consideration, and that they appeared before us yesterday on this very subject?

Mr. GATHINGS. I did not know. I knew that there was a judge from New York who was selected by the senior circuit judges to appear here.

Mr. HENDRICKS. Judge Knox, who is the senior circuit judge there. He appeared with the other judges and testified on this matter, and after a careful study they have made certain recommendations.

Mr. GATHINGS. I regret that I did not hear the testimony of Judge Knox and the other judges but I especially wanted to bring out the situation that exists in Arkansas.

Mr. HENDRICKS. The need for the two additional clerks?

Mr. GATHINGS. At least two. I do not know whether Judge John Miller needs one or not. He has not said anything to me in this regard.

Mr. O'NEAL. Thank you, Mr. Gathings. We appreciate your statement very much.

Mr. GATHINGS. Thank you, Mr. Chairman, for this opportunity of appearing before your committee.

WEDNESDAY, MARCH 3, 1943.

UNITED STATES SUPREME COURT

STATEMENTS OF HON. OWEN J. ROBERTS, ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT; HON. HUGO L. BLACK, ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT; CHARLES ELMORE CROPLEY, CLERK, UNITED STATES SUPREME COURT; THOMAS E. WAGGAMAN, MARSHAL, UNITED STATES SUPREME COURT; AND ALEXANDER HOLTZOFF, SECRETARY, ADVISORY COMMITTEE ON RULES FOR CRIMINAL PROCEDURE, AND SPECIAL ASSISTANT TO THE ATTORNEY GENERAL

Mr. O'NEAL. We will take up for consideration this morning the items for the United States Supreme Court, and we are very glad to have with us the chairman of the Committee on Appropriations, Mr. Justice Roberts, and Mr. Justice Black.

Mr. Justice Roberts, if either you or Mr. Justice Black care to make a preliminary statement we will be very glad to hear you.

SALARIES

Mr. Justice ROBERTS. No, Mr. Chairman; we are just here for any help we can give you.

Mr. O'NEAL. The first item is for salaries, for the Chief Justice and eight Associate Justices, the reporter of the Court, and all other officers and employees. The appropriation for 1943 was \$472,400, and the estimate for 1944 is \$484,200, or an increase of \$11,800.

Will you tell us about that, Mr. Waggaman?

ITEMS OF INCREASE IN ESTIMATE

Mr. WAGGAMAN. That increase is accounted for in this way. The first item is one of \$180 to give a special officer on duty in the courtroom during the Court's sessions, who is now drawing a pay of a private, the rank and pay of a sergeant. This officer's duty is to keep the public from going into the bar, and in keeping the misguided out must be on his toes all the time. He has to be very careful to see that the wrong individuals do not enter there. These duties, those of a plain-clothes man, warrant the pay of a sergeant, which he should have.

The second item is to provide for within-grade promotions amounting to \$2,240. This is the same item we have been carrying for the past 2 years, to provide for \$60 and \$100 increases. As the result of recent upheavals we have lost many of our employees, largely from the lower grades. There will be no appreciable turn-over within the remaining grades, as new appointments are made at entrance salary. This is the only chance we would have to give our employees a \$60 increase when due.

The third item is a request for \$12,946, the result of a legislative change in the custodial service which took place last fall. The total cost of the raise was \$15,631. However, as a result of economies, we saved \$3,566, which makes it possible to make these raises for \$12,946 rather than \$15,631.

To make the payment of this raise possible without creating a deficiency, its effective date was postponed from August 1 to October 16, by which time this saving, together with savings resulting from the resignation of a Justice from the Court, made sufficient funds available for this legislative increase.

Mr. O'NEAL. In other words, the increases requested, amounting to \$15,366, are for within-grade promotions and custodial raises.

Mr. WAGGAMAN. Yes.

Mr. O'NEAL. I presume the amount appropriated this year will be used in its entirety.

Mr. WAGGAMAN. It is very difficult to say, Mr. Chairman. The best example I can give you is the one which recently occurred, where the resignation of Justice Byrnes and his official family resulted in a lapse of \$10,000. If a Justice goes off the bench there is a lapse, and we cannot guess just what that will amount to. Under normal conditions we may go along for 4 or 5 years without a large lapse.

Mr. O'NEAL. Do you expect there will be a return to the Treasury?

Mr. WAGGAMAN. It will be very small, if any.

Mr. ANDERSEN. It seems to me that is a very reasonable request, Mr. Chairman.

TURN-OVER IN EMPLOYEES

Mr. O'NEAL. Have you had any turn-over in your employees' roll?

Mr. WAGGAMAN. Yes, sir; the turn-over in the fiscal year 1942 was 23.7 percent. Since July 1 of this year the turn-over has been, for 8 months, 31.3 percent. If you take it from the beginning of the war, the turn-over would be 55 percent.

So far as the military service is concerned, we had a few young men employed at the Court and the percentage of them going into the military service is 11.8 percent out of a total roll of 185 men and women.

DEFERMENT FROM MILITARY SERVICE OF ASSISTANT TO MARSHAL

Mr. O'NEAL. Have any deferments been asked for?

Mr. WAGGAMAN. We are asking for one deferment, that of a keyman.

PREPARATION OF RULES FOR CRIMINAL PROCEEDINGS

Mr. O'NEAL. The next item, on page 143 of the committee print, is for the preparation of rules for criminal proceedings, for which the estimate for 1944 is \$30,000. The item reads:

Preparation of rules for criminal proceedings: For all expenses of the Supreme Court of the United States to provide for expenses of such advisory committee as may be appointed by the Court to assist it in the preparation of rules of pleading, practice, and procedure with respect to criminal cases, pursuant to the Act entitled "An Act to give the Supreme Court of the United States authority to prescribe rules of pleading, practice, and procedure with respect to proceedings in criminal cases prior to and including verdict, or finding or plea of guilty," approved June 29, 1940 (54 Stat. 688), including personal services in the District of Columbia and elsewhere, and printing and binding, to be expended as the Chief Justice in his discretion may direct, including such per diem allowances in lieu of actual expenses for subsistence at rates to be fixed by him not to exceed \$10 per day, \$30,000, of which amount not to exceed \$14,950 shall be immediately available.

We will be glad to have a statement from you, Mr. Holtzoff, as to the necessity for that amount.

Mr. HOLTZOFF. Mr. Chairman, by the act of June 29, 1940, the Congress authorized the Supreme Court to prescribe rules of pleading, practice, and procedure in criminal cases in the district courts. This statute is very similar in its phraseology to the act of 1934 by which similar authority was given to the Supreme Court in respect to rules of civil procedure.

An advisory committee was appointed by the Supreme Court to prepare for its consideration a proposed draft of rules of criminal procedure. This is the same course that was followed in connection with the preparation of the Federal rules of civil procedure.

This committee is composed of 18 members representing different parts of the country and different types of minds—practicing lawyers, former judges, former prosecutors, and former defense counsel.

The members of the committee, with the exception of one member who devotes his entire time to the work, serve without compensation.

They are reimbursed merely for travel and subsistence expenses in connection with attendance at meetings, but they serve without compensation.

We have completed at a recent meeting the preparation of a preliminary draft of the rules which we propose to submit to the court, and if the court authorizes us to do so, then the preliminary draft will be circulated to members of the bench and bar for comment, criticism, and suggestions.

Later all of these suggestions will be considered and the draft revised in the light of the material so gathered.

The proposed estimate would cover the expense of this committee for the balance of the calendar year. It would involve a pay roll of \$11,462. That embraces the salary of one member of the committee who is known as the reporter, who is in charge of the research work and the preparation of tentative drafts, and so forth. He devotes his entire time to the work of the committee, and his office is in the Supreme Court Building. He has one permanent research assistant and one stenographer.

The amount of \$8,000 is allocated to the cost of two committee meetings and one subcommittee meeting. That involves travel expense and subsistence expense while in attendance at the meetings. The travel expense is considerable because the members of the committee live at scattered points.

It was necessary to form the committee in that way so that the entire country might be represented. Therefore the members of the committee have to come from scattered points to attend the meetings.

The amount of \$10,000 is estimated as the cost of printing. It will be necessary to print the preliminary draft, and later on the final draft, and a very large number of copies will be necessary in order that they may be circulated among the bar associations and members of the bench and the bar.

MR. O'NEAL. Mr. Holtzoff, this, of course, comes about through the wishes and under the direction of the Supreme Court itself, recognizing the necessity therefor; is that correct?

MR. HOLTZOFF. Yes, sir; that is correct. Continuing the break-down of the estimate, I should like to add that the balance of the amount requested will cover additional clerk hire and compensation to additional research assistants, which may be required from time to time on a temporary basis as the work progresses, as well as minor contingencies.

MR. O'NEAL. Can you tell us how much the cost of the preparation of the rules of civil procedure is, and what the total cost is?

MR. HOLTZOFF. I have not got those figures at hand, but I think that we have spent a good deal less—

MR. O'NEAL. Could you approximate the total cost?

MR. WAGGAMAN. May I interrupt for a moment? The total expenditures of the Civil Rules Committee at the time it had completed its operations were 59,863.22.

MR. O'NEAL. Does that include the cost of printing?

MR. WAGGAMAN. That includes everything, except items appropriated for or disbursed under the Department of Justice appropriation.

Mr. O'NEAL. How much was that?

Mr. WAGGAMAN. The amount appropriated was quite a bit, but a sizable amount of it was turned back.

Mr. O'NEAL. You do not know the total cost?

Mr. WAGGAMAN. That was not disbursed by me.

Mr. O'NEAL. Can you approximate the amount of the expenditure by the Department of Justice?

Mr. HOLTZOFF. It was \$48,500.

Mr. O'NEAL. That would make a total of how much?

Mr. WAGGAMAN. Around \$100,000.

Mr. O'NEAL. How much has been appropriated to date, and how much has been spent on this item?

Mr. HOLTZOFF. To this committee there has been appropriated so far, \$50,000.

Mr. WAGGAMAN. We have disbursed \$31,482.58.

Mr. O'NEAL. This proposed appropriation of \$30,000 for 1944 is in addition to that?

Mr. WAGGAMAN. In addition to the \$50,000, or the carry-over from the \$50,000.

Mr. O'NEAL. Is any appropriation being asked for through the Department of Justice for this purpose?

Mr. WAGGAMAN. No.

Mr. O'NEAL. The total appropriation will come through this bill?

Mr. HOLTZOFF. That is right.

Mr. O'NEAL. Do you expect that the complete job can be done with the \$80,000?

Mr. HOLTZOFF. I think probably it can. Of course, contingencies might arise; I never like to make prognostications, but if our present plans go through I think we will have completed the work by the 31st of December.

Mr. O'NEAL. Of 1943?

Mr. HOLTZOFF. Yes, sir. If that is so, then the appropriation now requested will probably finish the job.

Mr. O'NEAL. Has the war interfered with the work, or do you expect any interference on that account?

Mr. HOLTZOFF. No; so far it has not interfered, because most of the members of the committee are over military age. We have had one or two personnel changes in the clerical force, but the war has not interfered to any considerable extent.

Mr. O'NEAL. In this estimate you are requesting that \$14,950 shall be immediately available. Is that because the amount appropriated will probably be exhausted before the beginning of the next fiscal year?

Mr. HOLTZOFF. Yes; as a matter of fact, we are afraid that the balance of the present appropriation will be exhausted some time in April.

Mr. O'NEAL. And the only money paid to members of the committee is \$10 per day when they are on the business of the committee?

Mr. HOLTZOFF. That is correct, and also their travel expenses.

Mr. O'NEAL. What is the plan for the distribution of the rules of criminal procedure?

Mr. HOLTZOFF. We are planning, as soon as the preliminary draft is

completed and the Court authorizes us to do so, to distribute copies to bar associations and members of the bench and bar individually throughout the country in order to get as wide consideration by the legal profession as possible, and to get criticisms and suggestions from all parts of the country.

Mr. O'NEAL. After the work is completed, how is the matter to be handled from then on? How were the rules of civil procedure handled?

Mr. HOLTZOFF. When the final draft shall have been completed, after receiving comments from the profession, we then submit the final draft to the Supreme Court for its consideration.

The Supreme Court under the statute, has authority to prescribe the rules, and presumably it will make such changes and additions in the draft as it sees fit.

After the Supreme Court adopts the rules, the statute requires that they be submitted to the Congress, through the Attorney General, on the opening day of a regular session of the Congress, and they will not take effect until after the termination of the session of the Congress at which they were submitted to the Congress.

This was the procedure prescribed in connection with the civil rules of procedure, and it has also been prescribed by Congress in connection with the rules of criminal procedure.

Mr. O'NEAL. Then you turn them over to the Printing Office for general distribution, and they are sold at prices prescribed to attorneys?

Mr. HOLTZOFF. It was not contemplated that we would sell copies of these drafts, but the thought was that we would distribute them to bar associations and members of the bench and bar without cost, because we expect to receive their suggestions and criticisms.

Mr. Justice ROBERTS. Those rules, when the necessary legislation has passed Congress, will be printed as an amendment to the Supreme Court Reports. They will also be printed in the West Publishing Co. and Lawyers Cooperative Publishing Co. reports, and they get circulation in that way. I do not think there is very much circulation from the Government Printing Office, because they go to the public through the regular legal channels.

Mr. HENDRICKS. I want to ask you this question. You said you would distribute them to the bar and to the profession generally, and Justice Roberts mentioned the fact that they are printed in your Supreme Court Reports.

Mr. Justice ROBERTS. Yes.

Mr. HENDRICKS. Do you mean you are going to send out a copy of these rules to each attorney throughout the country?

Mr. HOLTZOFF. No; I am not referring to the rules after they will be adopted, but to the distribution of the preliminary draft and final drafts. We shall not send copies to every lawyer in the United States; that would be impossible, of course, because the expense would be prohibitive. But the senior circuit judge of each circuit has appointed an advisory committee in his circuit, and some district judges have done likewise for their districts, and our purpose is to send copies to each member of these committees, so that these committees will study these rules and make any criticisms or suggestions they deem wise. Most of

these committees are composed of lawyers familiar with Federal practice. In addition we shall distribute these copies among bar association committees, judges, and other persons interested.

Mr. HENDRICKS. When the rules are completed and printed, suppose an attorney in my district writes me for a copy of the rules. Will they be made available in the document room?

Mr. HOLTZOFF. That would be in your discretion. You did that in connection with the rules of civil procedure, having had them printed as a House document. I think they were also sold by the Superintendent of Documents.

Mr. HENDRICKS. If we had them in the document room here, would they also be available at the Government Printing Office?

Mr. HOLTZOFF. It depends on what arrangements you make. I think they would be on sale by lawbook publishers.

Mr. HENDRICKS. You mentioned the amount of \$8,000 for traveling expenses. Where do you plan that the committees shall meet?

Mr. HOLTZOFF. We have been holding meetings in Washington, but the last meeting, which was held last month, was held in New York, owing to the difficulty of getting hotel accommodations in this city, and the travel expense was not any greater for bringing the members to New York than it would have been to bring them to Washington.

Mr. HENDRICKS. But you have to bring them from all over the country?

Mr. HOLTZOFF. Yes; we do.

Mr. Justice BLACK. That was made necessary because some of us insisted that there be as wide a distribution of these members of committees as possible, so we could get the views of lawyers from every section of the country.

One of the advantages of having the preliminary draft published was shown at a Missouri Bar Association meeting last year when I was there. A member of the committee had the job of explaining the procedure. He talked to the bar association and gave them a discussion of the tentative plan suggested for the rules and asked for their criticisms to be sent in. That is the principal reason why the preliminary draft was distributed.

Mr. HOLTZOFF. I have observed at the committee meetings that a great deal of benefit is derived from the fact that we have members from the different parts of the country, because we get factual data and points of view from the different points of the country that we could not get otherwise.

Mr. WAGGAMAN. For the preparation of Rules for Civil Procedure there is a break-down therefor in the Budget of \$15,800.

Mr. O'NEAL. There is nothing there for 1944?

Mr. WAGGAMAN. The explanation is this. We are not asking for any additional money, but, due to facts over which the chairman of the committee, Mr. Mitchell, has no control, and which are explained in a letter which I have at hand, he requests that the unexpended balance of the appropriation be reappropriated for next year, which would make it a 1943-44 appropriation instead of a 1942-43 appropriation as it is now.

Mr. O'NEAL. Do I understand correctly that you want \$14,950 of the 1944 appropriation made immediately available?

Mr. WAGGAMAN. That amount was for the criminal rules.

Mr. JUSTICE ROBERTS. This is in reference to the old committee.

Mr. O'NEAL. The old committee would like to have the balance made available, or reappropriated for the coming year? What is the amount involved?

Mr. WAGGAMAN. The amount of the appropriation was \$15,800.

Mr. O'NEAL. And you have \$14,950 you would like to have reappropriated?

Mr. WAGGAMAN. No, sir; the amount is \$13,777.01.

Mr. Mitchell, the former Attorney General of the United States, as chairman of the Advisory Committee on Rules for Civil Procedure, wrote me a letter under date of February 26, 1943, explaining why the work has not been completed.

Mr. O'NEAL. The letter you have referred to may be inserted in the record.

Mr. WAGGAMAN. The letter is as follows:

ADVISORY COMMITTEE ON RULES FOR CIVIL PROCEDURE,
Washington, D. C., February 26, 1943.

HON. THOMAS E. WAGGAMAN,
Marshal, Supreme Court of the United States,
Washington, D. C.

DEAR MR. MARSHAL: As chairman of the Supreme Court Advisory Committee on Federal Rules of Civil Procedure, I state the situation respecting appropriations by Congress for the Supreme Court to cover advisory committee expenses. In title III of the Sixth Supplemental National Defense Appropriation Act for the fiscal year ending June 30, 1942, approved April 28, 1942, Congress appropriated \$15,800 to be expended under the direction of the Supreme Court in connection with necessary changes in the rules.

The representations made to the Appropriations Committee to support this appropriation were that it was needed for the purpose of preparing new rules governing condemnation cases instituted by the United States under the power of eminent domain, a subject not covered by the rules now in force. While that was the purpose of asking for the appropriation, the appropriation act did not by its terms limit the use of the appropriation to the preparation of condemnation rules, but the act allows the court to use the fund for any work involving proposed amendments to the rules. No part of that appropriation has been used for work in connection with condemnation rules. That is accounted for by the fact that the Department of Justice, which had asked that a condemnation rule be adopted, undertook to prepare condemnation rules in the first instance for consideration by the court and its advisory committee. Without going into details, it is enough to say that the rules proposed by the Department of Justice were not acceptable to the advisory committee. A subcommittee of the advisory committee has had this subject up with the Department of Justice, and steps are now being taken in an effort to prepare a draft of a set of rules which will be acceptable both to the advisory committee and to the Department of Justice.

After that appropriation was made, the Supreme Court determined that the time had arrived for the advisory committee to review the existing rules, with a view to recommending amendments. That, of course, is a different matter than preparing a condemnation rule, and on December 14, 1942, the Court authorized the advisory committee to undertake this work of considering general amendments and authorized some limited expenditures to be made by the advisory committee for clerical and staff work in that connection. These expenditures, as so authorized, I assume will be charged against the appropriation referred to.

At present, therefore, the advisory committee, at the direction of the Court, is considering both a condemnation rule and also the question of amendments to the rules in other respects, and funds must be kept available. The present appropriation will not be available after June 30, 1943, and the work will not be completed by that date, as the work of the advisory committee on both branches of the matter will be likely to continue as long as January 1, 1944, and possibly even later. I do not see any reason now to ask the Congress for the present to

make any additional appropriation, as the \$15,800 appropriation already made may be sufficient for the rest of this calendar year, and if and when it approaches exhaustion, steps then may be taken to obtain additional funds. It is necessary that the existing appropriation should be extended so as to be made available after June 30, 1943, and to avoid troubling the Congress again with it, I should suggest that it be made available until June 30, 1944.

It seems to me appropriate to present this situation at the hearing on the regular appropriation bill before the subcommittee on appropriations of the House Ways and Means Committee.

With personal regards,

Very truly yours,

WILLIAM D. MITCHELL.

Mr. JUSTICE ROBERTS. In very brief summary, the committee has been asked to suggest amendments to civil rules which are now in effect, and the committee has been gathering data for the purpose of recommending possible amendments to those rules where they have not worked satisfactorily, and they will need some meetings to do that.

Mr. O'NEAL. No new money is requested?

Mr. JUSTICE ROBERTS. No; only a reappropriation of funds now available.

PRINTING AND BINDING

Mr. O'NEAL. The next item is for printing and binding, for which the appropriation for 1943 was \$27,700, and the estimate for 1944 is \$26 000, or a decrease of \$1,700.

Mr. CROPLEY, we would be very glad to have you explain this unusual circumstance of having a decrease in the estimate.

Mr. CROPLEY. It is really not a decrease, Mr. Chairman, but actually an increase of \$400.

The amount appropriated for printing and binding for the Supreme Court for the fiscal year ending June 30, 1943, was \$27,700, of which amount not to exceed \$2,100 was made available immediately—act of July 2, 1942, Public Law 644, Seventy-seventh Congress, title IV—in order to meet the increased cost of printing the opinions of the Court incident to an amendment of the contract for the performance of that work approved by the Court on June 29, 1942. Pursuant to the authorization, \$2,100 of the amount appropriated for the current fiscal year was used in the fiscal year 1942 for the purpose indicated, thus reducing the amount available for expenses properly chargeable against this item during the fiscal year 1943 to \$25,600.

The estimate presented through the Bureau of the Budget for printing and binding for the Supreme Court for the fiscal year ending June 30, 1944, is \$26,000, an increase of \$400 over the amount made available by appropriation for the present fiscal year.

The need for the additional amount is explained and justified as follows:

The principal expense paid from this item is the cost of printing the opinions of the Court. The work is performed under a flat-rate contract between the Court and a private printing office peculiarly qualified and equipped to perform this highly specialized and confidential printing. Authority to have the Court's work executed by such printer as it may designate is included in the appropriation acts each year. The present terms of the contract provide for compensa-

the printer at the rate of \$19,600 per annum for the production of a specified edition of the opinions of the Court, and all costs and expenses incident to the performance of the contract obligation are absorbed by the printer. Additional payments are made annually to this printer for work performed which is not within the prescribed terms of the contract.

The amount remaining of the sum appropriated each year, after the obligation of the opinion printing contract has been satisfied, is expended at the Government Printing Office in payment of the cost of other annually recurring items of normal printing and binding authorized by the Court.

Due to increased charges made by the Government Printing Office for production of the same items it has not been possible to procure them within the amount appropriated. Consequently during the last 3 years a small portion of the Court's normal printing and binding requirements which were commenced under certain requisitions within 1 fiscal year had to be continued and completed under supplemental requisitions charging that portion of the cost which exceeded the amount of a particular year's appropriation against the appropriation for the following year.

The extent to which it already has become necessary to encroach upon a subsequent year's appropriation to procure approximately the same items is as follows: Fiscal year 1940, excess cost \$61.15; fiscal year 1941, excess cost \$288.83; fiscal year 1942, excess cost \$363.81.

Excess cost of work performed under requisitions at the Government Printing Office equal to or larger than in 1942 is anticipated in the present fiscal year and the amount of such excess must be carried into the appropriation for the fiscal year 1944. It is to meet such increased cost that the additional sum of \$400 is requested.

The following statement shows the expenses incurred and those paid from the appropriation for the fiscal year ending June 30, 1942:

Statement

Amount originally appropriated for printing and binding for the fiscal year ending June 30, 1942-----	\$23, 500. 00
The amount of \$4,200 was appropriated in response to a supplemental estimate for the fiscal year ending June 30, 1943, and not to exceed \$2,100 of that sum was made available immediately to be expended within the fiscal year ending June 30, 1942, leaving an increase over the amount originally appropriated and available for use in the fiscal year ending June 30, 1943, of-----	2, 100. 00
Total amount of appropriation available for use during the fiscal year ending June 30, 1943-----	25, 600. 00
Payments made under contract for printing opinions of the Court, etc-----	\$21, 519. 60
Payments made to the Government Printing Office for miscellaneous work performed under requisitions-----	4, 080. 40
Obligation incurred for payment to the Government Printing Office for work performed in excess of the amount of the appropriation-----	363. 81
	25, 963. 81
Obligation incurred in excess of the amount appropriated and transferred by supplemental requisition to appropriation for fiscal year ending June 30, 1943-----	363. 81

It is, therefore, urged that the committee increase the amount of this item to the extent of \$400 and recommend the appropriation of

\$26,000 to meet the estimated printing and binding requirements of the Supreme Court for the fiscal year ending June 30, 1944, and request for that amount is submitted through the Bureau of the Budget in its estimate to the Congress.

MISCELLANEOUS EXPENSES

Mr. O'NEAL. The next item is for miscellaneous expenses, for which you had an appropriation for 1943 of \$27,000. You are asking for the same amount for 1944.

We will be glad to have a statement about that.

Mr. WAGGAMAN. The explanation I have to submit is that the item "travel" is largely for the purchase of car tickets and car passes in Washington.

It also includes \$378.84 as a result of the special meeting of the Court last summer for the trial of the saboteurs which will make it exceed the \$500 for this item. However, as we have a balance in other items, in this break-down there will not be a deficit.

For communication services we have already spent or committed \$3,900, in round numbers.

On printing and binding——

Mr. O'NEAL. What printing is that?

Mr. WAGGAMAN. This item is the printing for the use of my office and for the Court's stationery, forms, and things like that, as differentiated from the appropriation just discussed under "Printing and binding." The clerk and I find we cannot use the same printing account advantageously as either he or I would probably overdraw our share of the account due to the time it takes to obtain bills from the Printing Office.

The largest part of this item is for the binding done by the Government Printing Office on our library books. Last year we could not use the whole \$5,000 allocated for this purpose because the material was not available for their binding the individual books in the same uniform manner as the balance of the set to which they belong.

Mr. O'NEAL. For other contractual services you have an estimate of \$500 for 1944, which is the same as the amount for 1943.

Mr. WAGGAMAN. Yes, sir. This item includes the repair of typewriters and other office equipment as well as our delivery trucks.

Mr. O'NEAL. For supplies and materials there is an estimate for 1944 of \$11,700, the same as the amount for 1943.

What type of supplies and materials are those?

Mr. WAGGAMAN. They are supplies and materials for janitoring, cleaning, and the offices, uniforms for guards, and laborers.

The bulk of the item is for janitoring and cleaning supplies. That is a pretty big building to be cleaned.

Mr. O'NEAL. The actual pay roll for that work is handled through Mr. Lynn?

Mr. WAGGAMAN. No, sir. My char and labor force clean the building; the maintenance of the structure and the mechanical force are under Mr. Lynn, who will justify his item.

Mr. O'NEAL. Tell us about the item for equipment, for which the estimate for 1944 is \$3,900.

Mr. WAGGAMAN. That includes typewriters, if we are able to buy any this year. It also includes dictaphones and an additional adding machine and file cases; occasionally we require some other additional equipment—a new truck, if procurable.

Mr. O'NEAL. With reference to typewriters, it is impossible to get them now, so do you not think it might be practical to reduce that item by a small amount?

Mr. WAGGAMAN. We spend only what is necessary. If there is a small amount left over at the end of the year and if we find that we can advantageously buy other needed items we buy them; otherwise the money is turned in to the Treasury.

SUPREME COURT FEES

Mr. O'NEAL. I would like to ask for the purpose of the record about the fees, Mr. CROPLEY, and how they are handled, and what becomes of them in the Clerk's office.

Mr. CROPLEY. The Clerk's office functions under section 542 of title 28 of the United States Code, which provides that the Clerk may retain \$6,000 per annum of the fees and emoluments collected as his compensation, and pay the incidental expenses of his office, including clerk hire. The vouchers covering such expenditures are certified by the Chief Justice.

Mr. O'NEAL. All fees collected are deposited as a separate fund, and against that fund you pay for all clerical hire, except for the Clerk himself, who is provided for in this appropriation?

Mr. CROPLEY. Let me clarify that in this way. There is no appropriation for the salary of the Clerk or the salaries of the personnel of his office. All money is deposited in a bank account and is disbursed for the expenses of the office, including clerk hire. At the end of the year there is a return made to the Attorney General, under section 541, of title 28 of the code, which is accompanied by the original vouchers, and a list of all receipts. These documents are filed with the Attorney General and thus become a public record.

Mr. O'NEAL. And if there is a balance that is turned into the Treasury?

Mr. CROPLEY. That is right. The expenses are covered by the vouchers, and any surplus is turned into the Treasury. The whole matter is reported to the Attorney General under section 541 of title 28 of the code, and the Chief Justice certifies the entire transaction.

Mr. O'NEAL. What is the way of handling that? Who checks those receipts and disbursements, the Chief Justice, or the Court itself? What is mechanics of accounting for that amount of money and the disbursements?

Mr. CROPLEY. The books are audited by Ernst & Ernst, who are employed by the Court. They make a complete annual examination of the books covering each term.

Mr. O'NEAL. Their charges come out of this fund?

Mr. CROPLEY. The auditors' charge is \$750 a year and is paid as an expense of the Court. They make a thorough examination of the books and accounts and a very detailed report is made directly to the Court.

Mr. O'NEAL. Will you give us an estimate of how much the fees run, that is the amount of the receipts from fees per year?

Mr. CROPLEY. In round figures last year the total receipts were approximately \$63,000.

Mr. O'NEAL. Will you put in the record a statement showing how those expenditures are made, that is what the particular items are?

Mr. CROPLEY. Yes. They principally are for two things, for salaries, and for supplies—the usual type of office supplies.

Mr. O'NEAL. Could that be broken down into the different kind of supplies, so there will be an itemization showing so much for this type and that type of supplies?

Mr. CROPLEY. Yes.

Mr. O'NEAL. That is, by classes.

Mr. CROPLEY. Yes.

(The statement referred to is as follows:)

Statement of disbursements made by the Clerk of the Supreme Court pursuant to U. S. C., title 28, sec. 542, during the calendar year 1942, in addition to his personal compensation authorized by that section

01	Salaries:	
1	deputy clerk, \$6,120 per annum-----	\$6, 120. 00
2	deputy clerks, 5,000 per annum-----	10, 000. 00
1	assistant clerk, \$4,000 per annum-----	4, 000. 00
2	assistant clerks, \$3,500 per annum-----	7, 000. 00
1	assistant clerk, \$3,580 per annum-----	3, 580. 00
2	assistant clerks, \$3,100 per annum-----	6, 200. 00
1	assistant in charge of press room, \$3,000 per annum-----	3, 000. 00
1	secretarial assistant, \$2,133.32 per annum-----	2, 133. 32
1	stenographic assistant, \$2,000 per annum-----	2, 000. 00
1	stenographic assistant, \$1,566.66, Jan. 1 to Oct. 12-----	1, 566. 66
1	stenographic assistant, \$1,295, Jan. 1 to Sept. 19-----	1, 295. 00
1	stenographic assistant, \$516.66, Sept. 28 to Dec. 31-----	516. 66
1	stenographic assistant, \$477.76, Oct. 1 to Dec. 26-----	477. 76
1	messenger, \$1,730 per annum-----	1, 730. 00
1	messenger, \$1,500 per annum-----	1, 500. 00
1	messenger, \$1,200 per annum-----	1, 200. 00
	Additional labor-----	1, 500. 00
04	Communication services-----	1, 043. 80
07	Other contractual services-----	26. 88
08	Supplies and materials-----	2, 919. 19

Total disbursements for calendar year 1942----- 57, 809. 27

Mr. GORE. What was the approximate amount turned in to the Treasury?

Mr. CROPLEY. There was no surplus last year. We did not make expenses.

Mr. Justice ROBERTS. We did raise the fees slightly in order to take care of that.

Mr. JOHNSON. Is the kind of binding you desire now available?

Mr. WAGGAMAN. No, sir. We are binding this year a different type of books. Last year we were trying to finish parts of the Gerry collection. Senator Gerry gave us his father's library, and there were some books in it that it would be a shame to rebind improperly. This year we are going to rebind a working collection and have those bound as best we may.

Mr. O'NEAL. Mr. Justice Roberts and Mr. Justice Black, we appreciate very much your coming to the hearing this morning, and if there are any further statements you desire to make, we will be glad to hear you.

Mr. Justice ROBERTS. I have nothing further, Mr. Chairman.

Mr. Justice BLACK. There is nothing I care to add, Mr. Chairman.

WEDNESDAY, MARCH 3, 1943.

STRUCTURAL AND MECHANICAL CARE OF UNITED STATES SUPREME COURT BUILDING AND GROUNDS

STATEMENTS OF DAVID LYNN, ARCHITECT OF THE CAPITOL;
AUGUST ECCARD, CIVIL ENGINEER; AND CHARLES A. HENLOCK,
ADMINISTRATIVE OFFICER

Mr. O'NEAL. Mr. Lynn, we will take up first the item of page 147 of the bill for structural and mechanical care of the building and grounds, for which \$68,000 was appropriated for 1943 and \$69,320 is estimated for 1944—an increase of \$1,320. We will insert page 2 of the justification.

(The matter referred to is as follows:)

Regular appropriation, 1943 act.....	\$68,000
Deduct nonrecurring and other items not required for 1944: Special air conditioning improvements—insulating second floor ceiling.....	1,350
Base for 1944.....	66,650
Increases submitted for 1944: Annual items—personal services:	
To complete 1943 within-grade promotions in 1944.....	\$315
Legislative changes in salary ranges (net).....	2,355
Total increases requested for 1944.....	2,670
Total estimate, 1944.....	69,320

Mr. O'NEAL. We will be glad to have a statement from you on this, Mr. Lynn.

Mr. LYNN. The amount of \$1,320 is a net increase for 1944. One 1943 nonrecurring item is omitted for 1944—for special air conditioning improvement—insulating second floor ceiling—\$1,350; and an increase of \$2,670 under personal services asked for 1944, as follows: Within-grade salary promotions, \$315; legislative changes in salary ranges, net, \$2,355.

WITHIN-GRADE PROMOTIONS

Mr. O'NEAL. You feel you are required to make those within-grade promotions, do you, of \$315?

Mr. LYNN. That is according to law. It is not for any new promotions that will fall due in 1944. It is only to complete in 1944 the promotions that fall due in 1943.

LEGISLATIVE CHANGES IN SALARY RANGES

Mr. O'NEAL. Now, about the legislative changes in salary ranges, \$2,355: In the same way, you feel you are obligated under the law to do that?

Mr. LYNN. Yes, sir.

DISTRIBUTION OF ESTIMATE

We could just submit the details of estimates with comparison to 1943.

Mr. O'NEAL. You have that broken down on page 3 of the justifications?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. We will put that in the record.

Mr. LYNN. Yes, sir.

(The matter above referred to is as follows:)

Details of estimate with comparison to 1943

	Estimate, 1944	Appropriation, 1943	1943, expended and obligated to Dec. 31, 1942
Personal services (33 employees).....	\$57,000	\$54,330	\$25,696
General annual repairs and alterations.....	5,000	5,000	3,882
Snow removal.....	150	150	-----
Special air-conditioning improvements.....	-----	1,350	1,040
Supplies and materials.....	6,500	6,500	3,557
Equipment.....	670	670	122
Total expended and obligated of 1943 appropriation to Dec. 31, 1942.....	-----	-----	34,297
Balance of 1943 appropriation available to June 30, 1943.....	-----	-----	33,703
Total estimate or appropriation.....	69,320	68,000	68,000

In explanation of the estimate, the first item is: "Personal services," \$57,000. For 1943, \$54,330 was allotted, so there is an increase of \$2,670. Three hundred and fifteen dollars of this increase is to complete in 1944 the 1943 within-grade promotions authorized by the act of August 1, 1941.

SIX MONTHS' EXPENDITURES

Mr. O'NEAL. You are asking \$57,000 for personal services for 33 employees and you have expended to December 31, 1942, \$25,696, for 6 months?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. That is not quite one-half of the \$57,000. Is that due to turn-overs in personal services?

Mr. LYNN. I will ask Mr. Henlock to answer that question, as he has the details in regard to that?

Mr. HENLOCK. Yes, sir. There has been an average of three vacancies during the 6-month period. Four men have been inducted into the military service in 1943.

DEFERMENTS OF PERSONNEL FROM MILITARY SERVICE

Mr. O'NEAL. Have you asked for deferments of any kind under your appropriations in any place, Mr. Lynn?

Mr. HENLOCK. Practically all of the deferments have been at the Capitol Power Plant.

Mr. O'NEAL. Will you put in the record the number of deferments you have requested, and for what period of time?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. How many would you say there have been, approximately?

Mr. HENLOCK. Eleven at the Capitol Power Plant and two others.

Mr. O'NEAL. And how many of those were acted upon?

Mr. HENLOCK. Were granted?

Mr. O'NEAL. Yes; were granted.

Mr. HENLOCK. Five.

Mr. O'NEAL. Are they still with you?

Mr. HENLOCK. Yes, sir. Two being over 38 years old; became 4-H men in December.

POSSIBLE REDUCTION IN THE ESTIMATE

Mr. O'NEAL. Now, under this personal services item, not having spent one-half of the amount appropriated and probably recognizing the fact you will have some turn-overs during next year, would it not be perfectly safe to cut that down to about \$50,000?

Mr. HENLOCK. No, sir; even in the first half we were spending at the rate of nearly \$52,000 per annum. Then, too, any savings that might occur above our regular needs would be used to meet the 10 percent additional compensation, authorized by the act of December 22, 1942, which is not considered in the expenditures for the first half of the fiscal year 1943.

Mr. O'NEAL. Assuming that 10 percent will be taken care outside of the amount mentioned here, if that assumption is correct, then we would be safe, probably, in reducing this to \$50,000 for 1944, would we not?

Mr. HENLOCK. No, sir. The \$52,000 spent in the first half only covers a 5-month period (August 1 to December 31) for the legislative changes in salary ranges.

There will be an additional month in the second half to be cared for, and still another month to make the full 12 months for the fiscal year 1944. Also we have to complete in 1944 the within-grade promotions that will fall due in 1943.

Mr. O'NEAL. And what do you estimate the full 12 months' legislative changes—\$2,355?

Mr. HENLOCK. The net cost is \$2,355. The gross cost is \$3,380. In preparing our budget estimates, we have already deducted for 1944 savings in the amount of \$1,025.

Mr. O'NEAL. That is the amount for 1 year, and the average of that would be about \$200 a month; is not that right?

Mr. HENLOCK. \$200 on the basis of the net cost; about \$280 on the basis of the gross cost. As shown on page 4 of the justifications, we are applying \$1,025 savings towards the gross actual increase of \$3,380, on an annual basis. We are already applying that amount of the savings.

Mr. O'NEAL. But I say if the 10 percent is going to be taken care of in addition to that, I fail to see why, according to your experience in 1943, that could not take a cut. Do not you think it could, assuming the 10 percent would be taken care of otherwise?

Mr. HENLOCK. Of course, as already stated, \$1,025 savings have already been deducted in arriving at the 1944 estimate, thereby reducing the amount for within-grade promotions from \$3,380 to \$2,355.

Mr. O'NEAL. Well, take it another way: This is personal services entirely?

Mr. HENLOCK. Yes.

Mr. O'NEAL. And probably your experience in 1944 will be what it was in 1943, and possibly there might be even more of a turn-over. Now, if you multiply \$25,696 by 2, since it is just for one-half of the year, that would make \$51,400, in round figures. And if you added

even a couple of thousand more onto that, that would only bring it up to \$53,000. You do not think that could take any reduction at all?

Mr. HENLOCK. I don't think the 1944 personal services total of \$57,000 can stand much of a reduction, Mr. Chairman. In connection with the additional compensation law, which I mentioned before, may I explain that we have been operating under the same plan as the other legislative employees; namely, the 10-percent-additional-compensation plan, and not the overtime plan. I understand some consideration is being given to changing our Office over to the general departmental overtime plan. If that is done, you can appreciate that in our group of buildings we cannot always hold to a minimum 48-hour week within a given period. Therefore, our expenditures under an overtime plan would quite possibly vary considerably during the year, and if we are not allowed to use some of our lapse savings as a reserve to help meet these variations in cost, we might run into serious difficulties.

GENERAL ANNUAL REPAIRS AND ALTERATIONS

Mr. O'NEAL. What about this general annual repairs and alterations, \$5,000, where you expended and obligated for the first 6 months \$3,882. Have you a break-down on that?

Mr. HENLOCK. That is for general structural repairs, such as pointing up stone work, repairing marble work, refinishing woodwork, and general care of the structure and equipment, for which \$3,882 was expended for one-half year.

Mr. O'NEAL. Now, here is almost a brand-new building and here you have almost \$70,000 in this item for "structural and mechanical care." I notice similar amounts for other buildings under your care which certainly are not brand-new buildings like the Supreme Court, and it struck me as very high. Now, you spent \$3,882 on patching the corners up and a few things like that that you spoke of—

Mr. LYNN. That includes general structural and mechanical repairs. Under "General annual" alone we have spent \$2,040. In addition, certain painting, elevator repairs, substation repairs and replacements, recalibrating meters, maintenance of air-conditioning system, and other items totaled \$1,842. All of those items enter into it. That makes up the \$3,882.

Mr. O'NEAL. Suppose you give me a break-down of that \$2,040 and the \$3,882.

Mr. LYNN. Yes.

Mr. HENLOCK. Painting is \$453; elevator repairs, \$74; substation repairs, \$286, maintenance of air conditioning, \$989.

Mr. O'NEAL. What have you set up for maintenance of air conditioning system for the fiscal year 1942?

Mr. HENLOCK. That usually runs around \$1,500 a year.

(The information requested is as follows:)

Repairs and alterations:

General annual	\$1, 200
Annual painting	725
Elevators	675
Substations	720
Air-conditioning system	1, 500
Grounds	180
Total	5, 000

SUPPLIES AND MATERIALS

Mr. O'NEAL. You ask \$6,500 for supplies and materials and in the first 6 months of the fiscal year 1943 you spent \$3,557. Could you give us a break-down of that?

Mr. HENLOCK. That can readily be prepared.

(The information requested is as follows:)

Supplies and materials:

Cleaning.....	\$450
Electrical.....	1, 100
Carpentry.....	550
Plumbing.....	1, 250
Incandescent bulbs.....	1, 950
Wearing apparel.....	150
Miscellaneous.....	600
Grounds, seed, plants, etc.....	450
Total.....	6, 500

Mr. O'NEAL. Now, here you have a brand-new building, at least more or less new; certainly it is still classed as new; and is not that figure a little high for that sort of thing?

Mr. LYNN. Mr. Chairman, this estimate is made up from past years' experience in the maintenance and upkeep of buildings and I have not estimated for anything in connection with this building that is not really necessary.

Mr. O'NEAL. A lot of times these supplies and materials are estimated for in a de luxe sort of way. It seems to me a lot of the things you mention would be in stock, and if you bought them 1 year you would have them the next year and the year afterward. For instance, you would not have to replenish tools, and things like that.

Mr. HENLOCK. We would still have to purchase cleaning materials, brushes, buckets, ladders, lead, oil, and paints, and similar items.

Mr. O'NEAL. Certainly ladders would last longer than 1 year.

Mr. HENLOCK. Yes, sir.

Mr. O'NEAL. And buckets would last a reasonable length of time.

Mr. HENLOCK. Yes, sir; but there are other items, such as waste and rags for use for cleaning around the machinery; dry cells, tools, and small equipment; oil, grease, and packing for mechanical equipment; plumbing supplies, such as repair parts for toilet equipment and other plumbing equipment; electrical supplies and electric-light bulbs, and general supplies for the structural and mechanical care of the building—heating, carpentry, and so forth; also fertilizers, seed, and plant material for the care of the ground.

Mr. O'NEAL. I believe the plumbing and other material you put in there was the last word in good equipment?

Mr. LYNN. It is, but there is always maintenance.

Mr. O'NEAL. I realize there is some maintenance. How long has that building been in use?

Mr. HENLOCK. Since 1935.

Mr. O'NEAL. Have you any idea what the floor space in the Supreme Court Building is as compared to the floor space in the New House Office Building?

Mr. LYNN. I have that in the office.

(Note: New House Office Building, 599,675 square feet, gross floor area; U. S. Supreme Court Building, 356,493 square feet, gross floor area.)

Mr. O'NEAL. What would you estimate as an off-hand figure?

Mr. LYNN. The floor space, considering the wide corridors and the fact it is a three-story building, would compare favorably, I should think, with the Old House Office Building.

Mr. O'NEAL. Which is the more expensive for this item in care—the handling of the Supreme Court, or handling of the Old House Office Building?

Mr. LYNN. Well, I think the Old House Office Building would cost more because of the number of people who occupy it and the visitors who go through the building. In the Court Building, they only go through the court room, or the marshal's office, or the clerks' offices, generally.

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

REPAIRS AND IMPROVEMENTS TO COURTHOUSE

Mr. O'NEAL. We will turn now to page 150 of the bill, where you have an item for "Repairs and improvements, District Court of the United States for the District of Columbia," \$12,300 estimated for 1944, which is the same as the amount appropriated for 1943. Will you explain that?

Mr. LYNN. The total appropriation for 1943 was \$12,300. Deduct nonrecurring and other items not required in 1944—renewal of steam risers, second-year allotment under program, \$5,000. Base for 1944 (general annual repairs, \$2,800; maintenance, air-conditioning system, \$1,000; annual painting, \$3,500) total, \$7,300. Increases requested for 1944, renewal of steam risers (continuation of program, third-year allotment), \$5,000. Total estimate of appropriation for 1944, \$12,300.

Mr. O'NEAL. What about those steam risers? After having repaired the others and going in and looking at them, do you feel it is necessary to continue the program you had on a 5-year basis? You still feel that is imperative after seeing the ones you have taken out?

Mr. LYNN. I would like to make this statement covering that item. For 1942 an initial allotment of \$5,000 was granted to start a program for the renewal of the 124 steam risers, running from the basement floor to the attic floor of the courthouse, supplying steam to the radiators; estimated to cost, in all, \$20,000.

Under the 1942 allotment 6 risers were renewed, 20 were contracted for, leaving 98 risers to be renewed in 1943, 1944, and 1945. For 1943 a second allotment of \$5,000 was allowed to continue this program. Under this allotment a contract has been awarded for the renewal of 34 risers, leaving 64 risers to be renewed in 1944 and 1945. For 1944 a third allotment of \$5,000 is requested to continue the work under this program.

As explained to the committee at the time the funds were originally requested, a survey made of the riser piping installed over 20 years ago indicated that the piping was in a defective condition and should be renewed, and the work thus far done under the program has further borne out this need. The situation is serious, as a failure in the piping might result in cutting off heat in the building. Therefore, this request for \$5,000 to continue the work is submitted.

The work includes the removal of the old risers which are concealed in chases in the walls, necessitating cutting the greater part of the plaster and metal lath covering these chases, and the installation of new risers, replastering, repairing floors, resetting marble base and glass wainscoting, using genuine black wrought-iron pipe and nipples for the new risers.

The total requested, therefore, for repairs and improvements, District Court of the United States, District of Columbia, for the fiscal year 1944, under the Architect of the Capitol, amounts to \$12,300.

Mr. O'NEAL. In opening up those risers you found that work was very necessary, did you?

Mr. LYNN. I have here some of the pipe that we have taken out. That is a sample of it [exhibiting]. You see, the pipe has rusted out. The pipes have been in the building for about 20 years. Here are some pictures of the work showing where the plastic was cut out.

Mr. O'NEAL. What is done with this old stuff when you get it out?

Mr. LYNN. It is junked.

Mr. O'NEAL. You sell it for junk, do you, or do you give it away?

Mr. LYNN. No; we sell it. We have to sell all junk; but, during the war period, we have been turning all of our junk over to the navy yard, or to the Procurement Division of the Treasury Department.

Mr. O'NEAL. And you feel it is necessary to go ahead with this program, do you, Mr. Lynn?

Mr. LYNN. Yes, sir, I think so.

GENERAL ANNUAL REPAIRS

Mr. O'NEAL. Now, the item for general annual repairs is \$2,800. How much floor space is there over there that you take care of with this \$2,800.

Mr. LYNN. There are 3 floors to the building. I would have to put that in the record. It is quite a large building—the old District Court Building—68,290 square feet, gross floor area.

MAINTENANCE OF AIR CONDITIONING SYSTEM

Mr. O'NEAL. For maintenance of air conditioning system you ask \$1,000. You do not know of any reason why the air conditioning will not be continued during the summer because of any war need, do you?

Mr. LYNN. No, sir.

Mr. O'NEAL. What has been your experience thus far on the expenditure of \$1,000; does that run fairly uniform in the last few years, or since you have had the air conditioning system?

Mr. HENLOCK. It runs between 7 and 8 hundred dollars, but this particular fiscal year it has been \$792, up to December 31, incident to the price of items having gone up.

Mr. O'NEAL. It is due to an increase in cost?

Mr. HENLOCK. Yes, sir.

ANNUAL PAINTING

Mr. O'NEAL. What about this annual painting, \$3,500? What do you paint with that money?

Mr. LYNN. This is the same amount as allowed for 1943 and provides for painting (one coat) the corridors on all 3 floors, 2 lobbies, and

15 rooms, most of which have not been painted since the summer of 1937, and for painting (2 coats) the 6 cells, basement floor.

Mr. O'NEAL. How much did you have for this item for the fiscal year 1943?

Mr. HENLOCK. \$3,500.

Mr. O'NEAL. You say some of this has not been done for several years. Is this a different part of the building?

Mr. LYNN. Yes, sir; for instance, the painting we want to do this next year will be the corridors that have not been painted for several years, 15 rooms in connection with the District Attorney's Office, 6 cells on the basement floor, and 2 lobbies.

Mr. O'NEAL. How long since the building has not been painted?

Mr. ECCARD. Since 1937. None of the corridors or those rooms have been painted since 1937.

Mr. O'NEAL. What does this cost include? Do you have your own painters?

Mr. LYNN. We employ the painters.

Mr. O'NEAL. Do you do it by contract?

Mr. LYNN. No, sir; we do the painting ourselves.

Mr. O'NEAL. What is your method of buying these various items like oil, grease, cleaning equipment, and all that; how do you make purchases of them?

Mr. LYNN. We generally contract for the purchase of most of the material.

Mr. O'NEAL. You buy it individually?

Mr. LYNN. Yes; or we buy it through the use of the General Supply Schedule, Procurement Division, where we can.

Mr. O'NEAL. Do you buy the most of it on your own hook, or through the Procurement Division?

Mr. LYNN. At the present time, we are unable to get a good many items through the Procurement Division, due to the war situation.

Mr. O'NEAL. Do you ask for bids on this material?

Mr. LYNN. It depends on the quantity of material we want to buy.

Mr. O'NEAL. What is the limit for buying without bids?

Mr. LYNN. Two hundred dollars.

Mr. O'NEAL. Everything above that, you must take bids on?

Mr. LYNN. Everything above that is bought on competitive bidding.

Mr. O'NEAL. Unless you buy from Procurement?

Mr. LYNN. That is right.

Mr. HENDRICKS. Do you have any trouble in getting paint now, Mr. Lynn?

Mr. LYNN. We have not been doing much painting the last couple of years. We have not had any trouble so far in getting paint.

Mr. O'NEAL. Are there any further questions?

Mr. LYNN. Mr. Chairman, when we are preparing for painting work in all of these buildings (for instance in the House Office Buildings), we estimate we will need so many gallons of paint, so many brushes, and so forth, and the same way for the Library of Congress, for the Capitol, and for the Senate Office Building. We lump those all together and take bids on them, because it is a much larger quantity and we can get a better price. Then we allocate it to the different buildings.

UNITED STATES COURT OF APPEALS BUILDING

REPAIRS AND IMPROVEMENTS

Mr. O'NEAL. The next item is for "Repairs and improvements, United States Court of Appeals for the District of Columbia." The amount appropriated for 1943 was \$2,500, and the estimate is for the same amount in 1944.

What have you spent on that as of the last date you have?

Mr. HENLOCK. We have spent \$805 to December 31, 1942. The unexpended balance is \$1,695.

Mr. O'NEAL. Will that stand a little bit of cutting?

Mr. LYNN. Mr. Chairman, we have reduced this and cut it down now to regular maintenance. There are no special items in there at all.

Mr. O'NEAL. Do you find the cost of all these materials is going up? I presume you do.

Mr. LYNN. Generally.

COURT OF CLAIMS BUILDING

REPAIRS AND IMPROVEMENTS

Mr. O'NEAL. For necessary repairs and improvements to the Court of Claims Buildings, the appropriation for 1943 was \$4,550, and the same amount is estimated for 1944. We would be glad to have a statement from you about that.

Mr. LYNN. The estimate for "Repairs and buildings, Court of Claims," for the fiscal year 1944, submitted at the direction of the Chief Justice of the Court, is the same as that appropriated for the fiscal year 1943, and is necessary for the proper upkeep of the buildings occupied by the Court. It provides for the usual annual repairs. There is no change at all in this item.

The justification is as follows: Painting (group A), \$2,500. This is the same amount as allowed for 1943 and is requested for painting hallways on the first and second floors, five rooms on the first floor, and for painting outside woodwork, such as door and window jambs, which have not been painted for several years.

Mr. O'NEAL. Do you feel all this painting really must be done? Would it be bad business to defer some of this for a year or so, while the war is going on, and with everything else we have to do? Could that reasonably be deferred without being too contrary to good business practice?

Mr. LYNN. Mr. Chairman, I took this matter up with the Chief Justice of the Court sometime ago—I think it was last August—and he thought we ought to have the same appropriation as for this year.

Mr. O'NEAL. Now, as to these other maintenance needs: That, of course, is your guess as to what you might need, but you feel those amounts are the minimum amounts you really should have?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. I believe that is all. Thank you very much, gentlemen.

Mr. HENLOCK. In presenting our estimates, we should have stated that we have not included funds in any of our 1944 estimates, for new within-grade promotions that will fall due in 1944, as we understood that any savings that accrue in 1944 would have to be applied to take care of this item. All that we have included are the amounts to complete in 1944 the within-grade promotions that fall due in 1943.

Also we have had 58 employees inducted into the military service so far in all branches under the Architect.

Mr. O'NEAL. We are asking every department for a list of deferments they have requested, those granted, and the action taken on them as a matter of public record. You will put a statement on that in the record?

Mr. HENLOCK. Yes, sir; when we present our legislative part of the hearings.

Mr. O'NEAL. Thank you very much, Mr. Lynn.

FRIDAY, MARCH 5, 1943.

COURT OF CUSTOMS AND PATENT APPEALS

STATEMENT OF HON. FINIS J. GARRETT, PRESIDING JUDGE, ACCOMPANIED BY JOSEPH G. GAUGES, MARSHAL

Mr. O'NEAL. We will take up first this afternoon the items for the Court of Customs and Patent Appeals, on page 152 of the committee print. We have with us Hon. Finis J. Garrett, the presiding judge, and Mr. Gauges, the Marshal.

Judge Garrett, if you have a general statement to make, the committee will be glad to hear you at this time.

Judge GARRETT. Mr. Chairman, the United States Court of Customs and Patent Appeals has exclusive jurisdiction of all appeals from the United States Customs Court, has jurisdiction of appeals from the United States Patent Office, except equity cases, and has jurisdiction of appeals from the United States Tariff Commission in matters of law only.

The War, Navy, and Agriculture Departments, and the Office of Alien Property Custodian are frequently represented by counsel in cases before the court involving inventions relating to the war effort.

The court is located on the seventh floor of the Internal Revenue Building, Washington, D. C. It occupies approximately 14,000 square feet of space. Its sessions are held every month except July and August. The court consists of 5 judges, and its staff consists of a clerk, assistant clerk, marshal, reporter, 5 stenographic law clerks, 2 clerical assistants, and 4 messengers. Its space is used as follows: Courtroom, robing room, conference room, law library containing over 7,000 volumes, rooms for counsel, and offices for the officials and employees; also rooms for exhibits, supplies, and files.

The administrative expenses of the court have not exceeded \$3,000 annually for some years, and this sum covers such items as supplies and materials, communication services, equipment and alterations, and repairs to the same. This latter is used principally for law and scientific books and continuations of same.

Care is exercised to see that the requirements of the court for its supplies are kept down to the minimum for the proper and efficient performance of its functions.

SALARIES

Mr. O'NEAL. The first item is for salaries, for which the appropriation for 1943 was \$107,500, and the estimate for 1944 is \$107,060, which is a slight decrease, amounting to \$440.

We will be glad to have a statement in reference to this item.

Judge GARRETT. I am familiar with all of the items admitted to you but inasmuch as they were prepared by our marshal, Mr. Gauges, I request that you hear him in explanation of them.

Mr. GAUGES. That, Mr. Chairman, as you have stated, is a reduction of \$440 as compared with last year's appropriation. That is caused by the elimination of the item for a temporary employee that we have carried for several years. I believe the court feels that they could dispense with that particular service, so we have reduced the amount for salaries to that extent.

Judge GARRETT. Mr. Chairman, I would like to make a brief statement with respect to the amount of \$440.

Mr. O'NEAL. We will be glad to hear you.

Mr. GARRETT. The decrease, if I may so designate it, for temporary personnel is what I would like to explain, because next year we may want to ask its restoration.

The patent jurisdiction which our court now has was transferred to it in 1929. Up to that time we had only the customs appeals jurisdiction.

We found it not only desirable, but really necessary to obtain some temporary assistance for the reporter of our court, who prepares the headnotes and prepares the opinions for publication.

My predecessor as presiding judge asked for and obtained an allowance, I think of \$400, to enable the employment of an assistant to the official reporter of the court. That was granted and 2 or 3 years ago an increase to \$500 was allowed for that purpose. The customs work has been falling off, as you can readily surmise, because of the present international situation. So we concluded to try to get along without that. We wanted to practice all the economy we could down there.

The customs work is still not so heavy as it was many years ago, but the patent work is growing somewhat, and I am really sorry that we withdrew that item from the budget, but we did, and we are bound by it. I am simply making this statement now because next year we may find it necessary to ask for its restoration.

Mr. O'NEAL. I hope you will not have to resort to that next year, but we will let it stand at that amount now.

TURN-OVER AMONG EMPLOYEES

Mr. O'NEAL. Have you had much turn-over among your employees?

Mr. GAUGES. No; except that in the past year two of our messengers entered the Army. We had to employ two others to take their places.

Also, two law clerks were transferred to the Department of Justice, and we employed two persons to take their places.

EXPENDITURES FOR FIRST SIX MONTHS OF 1943

Mr. O'NEAL. What have you spent, say, up to February 1 of this year?

Mr. GAUGES. I have the figures for the first 6 months.

Mr. O'NEAL. Up to January 1?

Mr. GAUGES. Yes; for the first 6 months the amount of the expenditure was \$53,064.07.

Mr. O'NEAL. Approximately one-half of the appropriation?

Mr. GAUGES. Yes, sir.

Mr. O'NEAL. And it runs at a uniform rate all through the year?

Mr. GAUGES. That is correct.

Mr. O'NEAL. You will probably expend all of your appropriation, but you will not need any more?

Mr. GAUGES. We will apparently need a little more.

Mr. O'NEAL. Will you ask for a deficiency?

Mr. GAUGES. Yes.

Mr. O'NEAL. Why is that?

Mr. GAUGES. Because of the 10-percent increase which we have been giving our employees since December 1, for the automatic promotional increases and for the reclassification of our custodial employees.

NO MILITARY DEFERMENTS REQUESTED

Mr. O'NEAL. Have you asked for any deferments for any of your employees from war service?

Mr. GAUGES. No, sir; as stated by Judge Garrett, the personnel consists of only 15 individuals.

Mr. O'NEAL. Most of those are beyond the draft age, or in some deferred class?

Mr. GAUGES. Yes, sir.

CONTINGENT EXPENSES

Mr. O'NEAL. The next item is for contingent expenses. The regular appropriation for 1943 was \$3,000, and you are asking for the same amount for 1944. There is no increase.

Have you a break-down of that?

Mr. GAUGES. The appropriation, as you have said, for last year was \$3,000. Out of that we expended \$2,472.

Mr. O'NEAL. That is for the fiscal year 1942?

Mr. GAUGES. Yes, sir.

Mr. O'NEAL. What are your expenditures at the present time?

Mr. GAUGES. At the present time our obligations, up to the 1st of January 1943 amounted to \$1,012.63.

Mr. O'NEAL. Could you give us an idea as to what these contingent expenses are?

Mr. GAUGES. Yes; I will be glad to do that. In the justification for contingent expenses you have perhaps noticed that we included there the amount of fees and costs collected by the court during the fiscal year 1942 amounting to \$4,870.20.

Mr. O'NEAL. That is the amount that is collected and turned into the Treasury?

Mr. GAUGES. That was the amount for that year. The contingent fund is \$3,000. That is used for all supplies and materials of the court, for the transportation of things, including exhibits that come from New York City from the Customs Court to Washington; also it includes telephone and telegraph expense, and for equipment, which item is devoted mainly to the purchase of law and scientific books.

Mr. O'NEAL. How much of that amount for 1944 is for equipment?

Mr. GAUGES. That is \$1,200. Of course, that does not mean necessarily that we will buy typewriters, or the like. It includes type-

We will be glad to have a statement in reference to this item.

Judge GARRETT. I am familiar with all of the items admitted to you but inasmuch as they were prepared by our marshal, Mr. Gauges, I request that you hear him in explanation of them.

Mr. GAUGES. That, Mr. Chairman, as you have stated, is a reduction of \$440 as compared with last year's appropriation. That is caused by the elimination of the item for a temporary employee that we have carried for several years. I believe the court feels that they could dispense with that particular service, so we have reduced the amount for salaries to that extent.

Judge GARRETT. Mr. Chairman, I would like to make a brief statement with respect to the amount of \$440.

Mr. O'NEAL. We will be glad to hear you.

Mr. GARRETT. The decrease, if I may so designate it, for temporary personnel is what I would like to explain, because next year we may want to ask its restoration.

The patent jurisdiction which our court now has was transferred to it in 1929. Up to that time we had only the customs appeals jurisdiction.

We found it not only desirable, but really necessary to obtain some temporary assistance for the reporter of our court, who prepares the headnotes and prepares the opinions for publication.

My predecessor as presiding judge asked for and obtained an allowance, I think of \$400, to enable the employment of an assistant to the official reporter of the court. That was granted and 2 or 3 years ago an increase to \$500 was allowed for that purpose. The customs work has been falling off, as you can readily surmise, because of the present international situation. So we concluded to try to get along without that. We wanted to practice all the economy we could down there.

The customs work is still not so heavy as it was many years ago, but the patent work is growing somewhat, and I am really sorry that we withdrew that item from the budget, but we did, and we are bound by it. I am simply making this statement now because next year we may find it necessary to ask for its restoration.

Mr. O'NEAL. I hope you will not have to resort to that next year, but we will let it stand at that amount now.

TURN-OVER AMONG EMPLOYEES

Mr. O'NEAL. Have you had much turn-over among your employees?

Mr. GAUGES. No; except that in the past year two of our messengers entered the Army. We had to employ two others to take their places.

Also, two law clerks were transferred to the Department of Justice, and we employed two persons to take their places.

EXPENDITURES FOR FIRST SIX MONTHS OF 1943

Mr. O'NEAL. What have you spent, say, up to February 1 of this year?

Mr. GAUGES. I have the figures for the first 6 months.

Mr. O'NEAL. Up to January 1?

Mr. GAUGES. Yes; for the first 6 months the amount of the expenditure was \$53,064.07.

Mr. O'NEAL. Approximately one-half of the appropriation?

Mr. GAUGES. Yes, sir.

Mr. O'NEAL. And it runs at a uniform rate all through the year?

Mr. GAUGES. That is correct.

Mr. O'NEAL. You will probably expend all of your appropriation, but you will not need any more?

Mr. GAUGES. We will apparently need a little more.

Mr. O'NEAL. Will you ask for a deficiency?

Mr. GAUGES. Yes.

Mr. O'NEAL. Why is that?

Mr. GAUGES. Because of the 10-percent increase which we have been giving our employees since December 1, for the automatic promotional increases and for the reclassification of our custodial employees.

NO MILITARY DEFERMENTS REQUESTED

Mr. O'NEAL. Have you asked for any deferments for any of your employees from war service?

Mr. GAUGES. No, sir; as stated by Judge Garrett, the personnel consists of only 15 individuals.

Mr. O'NEAL. Most of those are beyond the draft age, or in some deferred class?

Mr. GAUGES. Yes, sir.

CONTINGENT EXPENSES

Mr. O'NEAL. The next item is for contingent expenses. The regular appropriation for 1943 was \$3,000, and you are asking for the same amount for 1944. There is no increase.

Have you a break-down of that?

Mr. GAUGES. The appropriation, as you have said, for last year was \$3,000. Out of that we expended \$2,472.

Mr. O'NEAL. That is for the fiscal year 1942?

Mr. GAUGES. Yes, sir.

Mr. O'NEAL. What are your expenditures at the present time?

Mr. GAUGES. At the present time our obligations, up to the 1st of January 1943 amounted to \$1,012.63.

Mr. O'NEAL. Could you give us an idea as to what these contingent expenses are?

Mr. GAUGES. Yes; I will be glad to do that. In the justification for contingent expenses you have perhaps noticed that we included there the amount of fees and costs collected by the court during the fiscal year 1942 amounting to \$4,870.20.

Mr. O'NEAL. That is the amount that is collected and turned into the Treasury?

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Mr. O'NEAL. How much of that amount for 1944 is for equipment?

Mr. GAUGES. That is \$1,200. Of course, that does not mean necessarily that we will buy typewriters, or the like. It includes type-

writers if we can buy them, and also furniture, but the biggest portion is for books.

Mr. O'NEAL. What part is for books and what part is for other equipment, which is probably not readily obtainable at the present time?

Mr. GAUGES. I would say that \$800 would be the amount used for books.

Mr. O'NEAL. And \$400 for other equipment?

Mr. GAUGES. Yes.

Mr. O'NEAL. And that would about pay for one dictaphone?

Mr. GAUGES. That is true.

Mr. O'NEAL. You could not buy much equipment for \$400.

Do you anticipate buying any addressograph machines, dictaphone machines or typewriters, or anything of that sort?

Mr. GAUGES. We have wanted to, but we have given up the idea until the war is over.

PRINTING AND BINDING

Mr. O'NEAL. Your next item is for printing and binding, on page 14 of the justifications. The regular appropriation for 1943 was \$6,700, and the estimate for 1944 is the same amount.

How much did you spend in the fiscal year 1942 for this purpose, and how much have you spent up to January 1, 1943?

Mr. GAUGES. To January 1 we had only obligated \$112.30. I will give you an explanation of that.

Mr. O'NEAL. If you want to leave it there, that will be all right; we will be very glad not to have any explanation.

Mr. GAUGES. The bulk of the obligations under the printing and binding appropriation are usually made after the first 6 months' period, because that is when the preparation of the reports of the decisions of our court commences. That is because the term of the court commences. That is because the term of the court starts on October 1, and it is not until about the first of the calendar year that the reporter is able to begin preparation of the decisions for publication and send in the requisitions to the Government Printing Office. Since the first of the year we submitted requisitions for volume 30 of the Patent Decisions and volume 30 of the Customs Decisions. The estimated cost of the patent volume is \$4,200 and of the customs volume \$1,400.

Mr. O'NEAL. What did you spend in 1942 on this item, and how much did you return to the Treasury?

Mr. GAUGES. At the time the budget was prepared we had figured that every penny of that would be expended, because the estimates—

Mr. O'NEAL. What was the actual expenditure?

Mr. GAUGES. The actual expenditures for that year totaled \$5,952.63. But, of course, printing costs vary from year to year according to the size of the volumes and the prices charged by the Government Printing Office.

Mr. O'NEAL. You anticipate that the price you will have to pay the Government Printing Office for printing volume 30 of the Customs Reports will be \$1,400, and for volume 30 of the Patent Reports will be \$4,200, or a total of \$5,600?

Mr. GAUGES. Yes.

Mr. O'NEAL. Will the volumes be as large this year as heretofore?

Mr. GAUGES. I believe the patent volume will be as large or larger, but the customs volume will be about the same size. However, the cost of printing has increased somewhat.

Mr. O'NEAL. You do not know yet what that will be?

Mr. GAUGES. No; I do not. But with these two volumes provided for there is very little balance left to pay for the printing of mandates and stationery and so forth.

Mr. O'NEAL. I notice you say in the justifications that the balance of \$1,100 is to be used for printing the customs and patent calendars, dockets, mandates, and miscellaneous forms, for the binding of the customs records and briefs for the previous term of court and for repairs to Library books.

It is very necessary, is it, that those things be printed annually, every year?

Mr. GAUGES. We have been printing them ever since the court was organized, and I think they are essential documents.

Mr. O'NEAL. You think you will need that much this year?

Mr. GAUGES. I believe so; yes, sir.

Mr. ANDERSEN. I was hoping perhaps we could take off probably \$500 from this item, Mr. Chairman, but perhaps the gentlemen feel that that cannot be done.

Judge GARRETT. You understand, Mr. Chairman and Mr. Andersen, the publication of our reports is required by law; that is, it is made obligatory upon us to have them printed. The statutes provide for that. It is mandatory that we have them printed at the Government Printing Office. We have no election whatever in that matter.

Mr. ANDERSEN. My comment was brought about by the fact that the actual expenditures last year were slightly under \$6,000; is not that true?

Mr. GAUGES. That is true; the expenditures amounted to \$5,952.07.

Mr. ANDERSEN. Did you need all of the \$6,700 last year?

Mr. GAUGES. No; we did not. We turned back the balance. We have already turned back the unobligated balance.

Mr. ANDERSEN. Is there any reason why you could not get along with \$6,000 this year, of \$6,700?

Mr. GAUGES. Of course, that is something we cannot tell. The opinions vary in size.

Mr. ANDERSEN. You did turn back some last year?

Mr. GAUGES. Yes; we did. We will be very glad to turn back some if we can next year, but the margin of safety is not a great deal. It is all expended at the Government Printing Office, and we have to accept their estimates. We are not permitted to go elsewhere to have the printing done.

Mr. ANDERSEN. As long as you turn back part of the amount, that is all I care about.

Mr. GAUGES. I think our estimates are modest in amount.

Mr. Chairman, I have here a detailed report of the expenditures of the court. It shows how the money was expended for the fiscal year 1942.

Mr. O'NEAL. You may file that with the committee.

SUMMARY OF WORK OF COURT

Mr. GAUGES. I also have here a summary of the business of the court for the last 5 years.

Mr. O'NEAL. We will insert that in the record.

(The statement referred to is as follows:)

Summary of business of United States Court of Customs and Patent Appeals for the fiscal years 1938 to 1942, inclusive

	1938	1939	1940	1941	1942
CUSTOMS					
Number of cases pending at beginning of year	54	42	62	26	28
Number of cases docketed during year	75	83	54	46	33
Number of cases disposed of during year	87	63	90	44	39
Number of cases pending at close of year	42	62	26	28	22
PATENTS					
Number of cases pending at beginning of year	144	141	120	109	187
Number of cases docketed during year	164	156	163	133	166
Number of cases disposed of during year	167	177	174	157	125
Number of cases pending at close of year	141	120	109	85	128

¹ Including 2 rehearings granted.

Mr. O'NEAL. Have you anything further to submit to the committee, Judge Garrett?

Judge GARRETT. I think there is nothing further Mr. Chairman, and we thank you for your courtesy.

THURSDAY, MARCH 4, 1943.

UNITED STATES CUSTOMS COURT

**STATEMENTS OF HON. WEBSTER J. OLIVER, PRESIDING JUDGE;
WILLIAM F. X. BAND; AND ROYAL E. JACKSON, BUDGET AND
ACCOUNTING OFFICER, ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS**

Mr. O'NEAL. The item which Judge Oliver is going to present is for the United States Customs Court where the appropriation for salaries for 1943 is \$236,500, and the same amount is being asked for this year. There are no increases.

Judge, we will be very happy to hear from you on this item.

Judge OLIVER. Gentlemen, this is the first time I have had the pleasure of appearing before this particular committee. Of course I am anxious in the first instance to have the committee know something about our court, as I am working on the assumption that you folks, like most lawyers, do not know much about the Customs Court.

Mr. O'NEAL. I believe there is a statement in the justifications on that subject.

Judge OLIVER. Well, I need not amplify that, if it is already in there.

Mr. O'NEAL. We will be very glad to have this made a part of the record. If you have anything to say in addition to that, Judge, we will be very happy to have it.

Judge OLIVER. You understand that the United States Customs Court, unlike the district courts and most of the circuit courts of the various Federal districts, is only one court. Our headquarters are in New York. We have nine judges and we travel all over the country—send the court out to the importers, so that, for example, the port of Omaha, Nebr., is as much a port of entry as would be the ports of New York, Philadelphia, New Orleans, or San Francisco. In other words, the fiction that the port of entry is the harbor into which a ship comes with goods and importations is no longer here; because merchandise is sent from the actual point where the ship is unladed, as we call it, under bond and in possession of the Government, to the particular port of destination, and we send out our judges, with a court reporter and the exhibits, and so forth, and hold court there.

(The following is the statement submitted for the record:)

The United States Customs Court has sole jurisdiction over actions arising under the tariff laws as to the construction of the law and the facts respecting the classification of merchandise and the rate of duty imposed thereon under such classification, as well as the fees and charges connected therewith. It has in addition the determination of the dutiable value of imported merchandise. It also has sole jurisdiction in proceedings for relief from increased duties occasioned by the action of appraisers in advancing values. The interests of the Government are represented by an Assistant Attorney General of the United States and a large staff of special attorneys. The interests of the importers are represented by attorneys specially trained in customs law.

The court consists of 9 judges including the presiding judge, a clerk of the court, marshal, deputy marshal, 9 secretaries, 42 other employees consisting of court reporters, clerks, stenographers, and messengers. The judges are appointed for life with the same rights, powers, and responsibilities as the United States district court judges. The personnel from clerk of the court to messengers are civil-service employees. The estimate for salaries for the fiscal year 1944 is \$236,500. This appropriation provides for the salaries of the presiding judge and 8 judges of the court in addition to the various individuals just previously enumerated.

The cases coming before the United States Customs Court for trial are handled under the legal procedure established by the Customs Administrative Act of June 10, 1890, and the several acts supplementary thereto. Regular calendars for the trial of cases are held at New York, Boston, Baltimore, Chicago, Los Angeles, New Orleans, Philadelphia, Portland, Oreg., St. Louis, Minneapolis, San Francisco, and Seattle, in addition to such other ports of entry as may be designated by the presiding judge. There are no court costs and the procedure is simple and expeditious yet includes all the safeguards and protection of an ordinary court trial.

During the fiscal year 1942, 20,888 protests against decisions of collectors of customs were received and during this period 37,694 protests were decided in 1,151 opinions. 6,948 appeals to reappraisement cases were filed and 4,287 were decided in the same period. A total of 795 applications for review were filed and 102 were decided. 123 petitions for remission of additional duties were received while 125 were decided. A total of 546 opinions were rendered in cases involving litigation of these types.

During the fiscal year 1942, 368 dockets were prepared for hearings at New York and other ports. The total number of all types of cases received during the year, such as protests, appeals, petitions, and applications for review was 28,754, leaving pending at the close of the fiscal year 1942 a grand total of 163,417 cases.

SALARIES

Mr. O'NEAL. This entire amount is for personnel; there is no increase asked for personnel?

Judge OLIVER. There is no increase sought.

Mr. O'NEAL. What have you spent up to the present time, or as of the most recent date for which you have figures, during the fiscal year 1943?

Mr. JACKSON. Up to February 1, Mr. Chairman, the actual expenditures were \$124,288 for salaries.

Mr. O'NEAL. Have you had much turn-over in your personnel during the fiscal year 1943?

Judge OLIVER. No, sir, not in turn-over. We have had some losses, of course, to the military services.

Mr. O'NEAL. You have asked for no deferments, have you, Judge?

Judge OLIVER. No, sir; none at all.

Mr. JOHNSON of Indiana. I notice here that you have some within-grade promotions.

Judge OLIVER. Yes, sir.

Mr. JOHNSON of Indiana. How many of those?

Mr. JACKSON. Those are promotions authorized in accordance with the plan of the Ramspeck Act.

Mr. JOHNSON of Indiana. Do you come under the Classification Act for your employees?

Mr. JACKSON. Yes, sir; they are all civil service.

Mr. O'NEAL. Do you charge any fees or do you have any charges that are returned to the Treasury, of any kind?

Judge OLIVER. No, sir.

Mr. O'NEAL. This is entirely personal, and you are running right now, according to the figure you gave me, a little below the amount you are asking for 1943.

Judge OLIVER. We are indulging in every possible effort to economize, following the request made by the administrative office and also following what I know to be the desire of you gentlemen and Congress generally to economize.

Mr. O'NEAL. We appreciate that.

Mr. OLIVER. In fact, one of the methods by which we are endeavoring to economize is, where possible, to cut down some of our out-of-town circuits. This year, for example, instead of having three dockets on the Pacific coast, which means Seattle, Portland, San Francisco, Los Angeles, and sometimes San Diego in one circuit, we are only having two this year. That will save a great deal on certain traveling expenses.

EFFECT OF WAR ON WORK OF COURT

Mr. O'NEAL. Has the war decreased or increased your work load?

Judge OLIVER. The war will decrease eventually, I suppose, our load; but at the present time, while you would naturally think in the forefront of your mind that because the importations are less, the amount of customs work is less, it does not follow that because of the war, importations have fallen off and, therefore, the work has fallen off. As a matter of fact, we have, as a rule, anywhere from 150,000 to 200,000 cases pending. Now, having heard the discussion of the district courts, that would probably sound out of all reason to you; but I will explain, as you probably have surmised, that the most of those cases are suspended under what we call test cases, the decisions in which will decide hundreds and sometimes several thousand cases. So that while that number pending sounds appalling, it is not what it seems. The court is up to date on its work.

Mr. O'NEAL. In what way has the character of your work changed during the war?

(The question was answered off the record.)

Mr. O'NEAL. Your work has not increased?

Judge OLIVER. Not correspondingly.

Mr. O'NEAL. Has it decreased slightly?

Judge OLIVER. It has decreased slightly.

Mr. O'NEAL. Has it decreased enough to affect your personnel in any way?

Judge OLIVER. No; for this reason: The personnel we have lost, for example, instead of putting on new men to take care of the places of those who have entered the armed services, we have reallocated the work so as to put a little heavier load here and a little heavier load there, so as not to put on new men where we can save doing that. In other words, where it would be customary for travel expenses to remain, as they did last year, at \$10,000, by the method I have described, of trying to save on travel, we hope to turn something back at the end of the year out of that, and I feel sure we will. But we do not want to be in a position of having to come back to you for a deficiency appropriation if we can help it; because I am certain you realize, to cover the whole country, Hawaii and Puerto Rico, with our nine judges, that we cover a tremendous territory with a very small number of personnel.

CONTINGENT EXPENSES

Mr. O'NEAL. Your next item is "Contingent expenses." The appropriation for 1943 was \$17,000 and your basis for 1944 is \$16,500. You are asking for a restoration of the amount covered into the Treasury in accordance with Public Law 644, bringing it back to the same amount you had last year.

Judge OLIVER. Yes; and which was \$2,000 less than we had the year before that.

Mr. O'NEAL. Did you get along all right without this \$500?

Judge OLIVER. We did, sir.

Mr. O'NEAL. Could you do it again this year?

Judge OLIVER. We hope so, yes, sir; we hope to save that; but the amount is so small that I think it ought to go in there.

TRAVELING EXPENSES

Mr. O'NEAL. Now, what is the figure you have for traveling expenses?

Judge OLIVER. We have \$10,000 there.

Mr. O'NEAL. How much of that has been spent to date, in the fiscal year 1943?

Mr. JACKSON. I have only the expenditure figure for the total appropriation, Mr. Chairman.

Judge OLIVER. In 1942, we actually spent \$6,698.

Mr. O'NEAL. What is the last figure you have on that for 1943? Could you put that in the record as of the latest date you have?

Judge OLIVER. Yes, sir. (See p. 133.)

TRANSPORTATION OF THINGS

Mr. O'NEAL. Transportation of things is \$1,800; what is that?

Judge OLIVER. Whenever we have an out-of-town docket, we have to ship the records and exhibits out to that port. That is another

economy we are trying to make here. In other words, when we have a docket at San Francisco, there may be 4,000 cases in that docket, and we not only have to send out the jackets and all of the papers filed with the Court by the Treasury's and the Collector's office, but the whole file in each case, and all of the samples must go out there. One way we are trying to economize on that is to attempt to dispose of as much as possible in New York and by correspondence in advance with the attorneys and the collectors at the various ports; that is, we try to find out how many cases on the docket as prepared will be suspended or will be abandoned, or "continued" as we say. If we can do that, we can save the expense involved in sending all that out, and we are watching all those little things very closely.

Mr. O'NEAL. Do you think that could take a little cut?

Judge OLIVER. I think traveling expenses might take a little cut. I am anticipating that; but, on contingent expenses, I do not think we can save that. It is only \$1,800 there.

COMMUNICATION SERVICES

Mr. O'NEAL. What about communication services; is that figured pretty closely?

Judge OLIVER. We are holding that down. In 1942, we actually spent \$1,548. We do not have the figures in 1943 to date on that.

Mr. O'NEAL. Will you put that in the record?

Judge OLIVER. Yes.

(The matter referred to appears on p. 133.)

SUPPLIES AND MATERIALS

Mr. O'NEAL. Supplies and materials is \$1,100. Is it running about that figure?

Mr. BAND. Yes; it is running a little bit higher, because of the increased costs when buying them. It is running a little above that.

EQUIPMENT

Mr. O'NEAL. What do you include in Equipment, \$2,500?

Mr. BAND. That covers books and file cases, trunks and other things, numbering machines, shipping cases—things that we need to send out.

Mr. O'NEAL. Have you any idea what you have spent to date under that?

Mr. BAND. We can get that for you. What we are trying to do is to buy some second-hand books so as to keep the cost down.

Mr. O'NEAL. And it will probably run under that this year, you think?

Mr. BAND. We are trying to keep within that.

Mr. O'NEAL. What did you spend on that in 1942?

Judge OLIVER. \$1,349.

Mr. BAND. The reason for that was that we were unable to get certain books with that amount and, rather than to pay the high cost for them, we let it go until we can pick them up second-hand.

The following is an analysis of obligations under the appropriation Contingent expenses, United States Customs Court, for the first 8 months of the fiscal year 1943:

Contingent expenses, United States Customs Court, 1943

	Appropriation, 1943	Obligations incurred during month of February 1943	Total obliga- tions incurred from July 1, 1942, to Feb. 28, 1943	Balance unobligated
Travel expense.....	\$9,500	\$739.50	\$2,202.12	\$7,297.88
Transportation of things.....	1,800	74.37	381.18	1,418.82
Communication service.....	1,500	127.34	991.42	508.58
Other contractual services.....	100	33.33	56.80	43.20
Supplies and materials.....	1,100	311.47	742.90	357.10
Equipment.....	2,500	146.00	429.10	2,070.90
Totals.....	16,500	1,432.01	4,803.52	11,696.48

PRINTING AND BINDING

Mr. O'NEAL. Now, the item for printing and binding is \$1,000 for 1944, the same as the amount appropriated for 1943.

Judge OLIVER. And \$800 in 1942. I think we only used \$765 actually in 1942. That is a rather flexible item.

Mr. O'NEAL. How are you running in 1943?

Mr. BAND. We held out of that certain library books which should have been rebound last year because if we had the work done then it would have exceeded the appropriation. We hope to complete that this year. They have to be rebound, and it would have exceeded the amount we had last year.

Mr. O'NEAL. You think you will use that entire amount in 1943?

Mr. BAND. Yes, sir; to complete the rebinding, rather than get new books.

FRIDAY, MARCH 5, 1943.

UNITED STATES COURT OF CLAIMS

STATEMENT OF HON. RICHARD S. WHALEY, CHIEF JUSTICE, ACCOMPANIED BY HERBERT STEREK, AUDITOR AND SPECIAL DISBURSING OFFICER; AND ROYAL E. JACKSON, BUDGET AND ACCOUNTING OFFICER, ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

GENERAL STATEMENT ON WORK OF COURT

Mr. O'NEAL. We will take up next the items for the United States Court of Claims, and we have with us the Chief Justice of that court.

Judge Whaley, we are very glad to have you with us this afternoon. If you have any preliminary statement you care to make before we examine the detailed items, we will be very glad to hear you.

Chief Justice WHALEY. Mr. Chairman and gentlemen, before submitting to you a detailed statement of the work of the Court of Claims

for the past fiscal year through March 4, 1943, I wish to state that the Court of Claims has disposed of 478 cases during the past fiscal year and 275 cases through March 4 of the present fiscal year, making a total of 753 cases disposed of during these periods. There are now 984 cases pending on our docket. I will not burden you with reading the detailed reports of the work of the court but will submit these copies to you.

I wish to state that every effort is being made by the court to hasten the disposition of all old cases pending on its docket and I feel today the court is in a better condition than it has been for the past 20-odd years. Practically all old cases on our pending docket, that is cases filed prior to 1938, are patent and Indian cases. Both classes of cases necessitate taking testimony over long periods and their records are voluminous. We now have 40 Indian cases and 24 patent cases pending, having disposed of 19 Indian cases and 7 patent cases during the past fiscal year and up to March 4 of the present year.

I feel that the court is unusually well up on its docket despite the fact that hearings and trials are being delayed due to the war. Many witnesses are unavailable as well as many attorneys, due to having been called into the armed services or defense work.

The court has instructed its commissioners to advance dates for hearings in all cases in which witnesses are available, in order that all possible cases may be disposed of during this period when some necessarily will be delayed. There are about 26 cases in which all action has been suspended for the duration.

Another reason I have been pressing early disposition of all possible cases is that I am informed there are now, in the course of preparation, in the neighborhood of 1,500 cases which will be filed in our court in the near future. About two-thirds of these cases are known as "valuation cases," wherein the Government has taken over private property and paid the owner an amount which he thinks is not the true value and which will be filed with the court for decision.

I understand that there have been over 3,000,000 contracts entered into by the Government during the present emergency, and, even if a very small percentage were brought to the Court of Claims, it would increase our work enormously.

Judging from the effects of the last war, I feel that I am not overstating when I say this war will bring a great number of contract cases to the court. Seven commissioners were appointed to the court after the last war in order to hasten the trial of the additional cases filed. I feel, as a result of this war, it will be necessary to increase the number to 21. I do not mean that it will be necessary to increase the number of commissioners at once, but from time to time as the number of new cases filed increases.

We are not asking for an appropriation for any additional employees now but when the work of the court increases to the extent it cannot be handled by the present number of commissioners, I shall have to appeal to Congress for relief—but I do not intend to do so until then.

So far I have not found it necessary to ask for any increased appropriation in order to take care of the 10 percent overtime pay. I have used savings from the salaries of the Chief Clerk of the Court and one Commissioner, both of whom have been called into the armed

services, to defray the overtime pay. I shall in this way be able to pay the overtime until April 30, and perhaps to the end of the fiscal year.

I have not filled the positions of Chief Clerk and one Commissioner—for the present dividing their work among the other clerks and commissioners. Four other members of the personnel have been called into the armed services but I have found it necessary to appoint temporary employees to these positions. They include one clerk, one fireman, one watchman, and one custodial employee.

Through careful savings and with an ever watchful eye on expenditures, we shall be able to return to the Treasury of the United States the sum of approximately \$8,500 for the fiscal year 1942.

With regard to the appropriation asked for the next fiscal year, I am only asking for the same amount which we received for the fiscal year ending June 30, 1943. There are no increases asked for except an amount called for by the Ramspeck bill (Public Law 200, 77th Cong.) for within-grade promotions.

I also submit, Mr. Chairman, a statement of the work of the court for the fiscal year beginning July 1, 1941, and ending June 30, 1942, and for the present fiscal year to March 5, 1943.

(The statement referred to is as follows:)

I. Work of the Court of Claims for the fiscal year beginning July 1, 1941, and ending June 30, 1942

STATUS OF CASES

Number of cases pending on the court's docket July 1, 1941-----	1, 332
Number of cases filed during fiscal year-----	278
Total number of cases before the court-----	1, 610
Number of cases disposed of during year-----	478
Number of cases pending July 1, 1942-----	1, 132

DECISIONS, MOTIONS, ORDERS

Written opinions rendered by judges-----	137
Motions for new trial acted on-----	38
Cases in hands of court awaiting decision-----	47
Motions and orders acted on in chambers by Chief Justice-----	1, 903
Amount of judgments in favor of plaintiffs-----	\$1, 770, 552. 57
Amount of above judgments carrying interest-----	\$444, 734. 57
Amount of counterclaims recovered by Government-----	\$115, 465. 83

COMMISSIONERS' REPORTS

Cases reported to court by commissioners-----	189
Number of cases pending on commissioners' dockets awaiting hearing of testimony and report of findings to court-----	530

ACTION OF SUPREME COURT ON WRITS OF CERTIORARI

Number of petitions for writ of certiorari awaiting action July 1, 1941-----	7
Number of petitions for writ of certiorari filed during year-----	28
Petitions granted-----	11
Petitions denied-----	20
Court of Claims decisions affirmed-----	5
Court of Claims decisions reversed-----	3
Cases awaiting action in Supreme Court (4 on petition for writ of certiorari and 3 awaiting final decision)-----	7
Number of records requested—petitions not filed in Supreme Court on July 1, 1942-----	2

Report showing number of cases pending July 1, 1941; number of new cases filed; number of cases disposed of during fiscal year; and number of cases pending at the close of fiscal year ending June 30, 1942

Class of case	Number of cases			
	Pending July 1, 1941	Filed and remanded during year	Disposed of during year	Pending July 1, 1942
Congressional.....	20	79	13	86
Contract.....	194	42	38	198
Departmental.....	1			1
Gold cases.....	2		1	1
Indian.....	53	5	14	44
Miscellaneous.....	342	74	37	290
National Industrial Recovery Act cases.....	271		54	217
Patent.....	25	5	3	27
Railroad.....	14		8	6
Tax.....	410	73	310	173
Total.....	1,332	278	478	1,132

¹ Army and Navy pay cases.

II. *Work of the Court of Claims for the fiscal year beginning July 1, 1942, to March 4, 1943, inclusive*

Number of cases pending on the court's docket July 1, 1942.....	1,132
Number of cases filed from July 1, 1942, to March 4, 1943.....	127
Total number of cases before the court.....	1,259
Number of cases disposed of during year.....	275
Number of cases pending March 5, 1943.....	984

DECISIONS, MOTIONS, AND ORDERS

Written opinions rendered by the judges.....	99
Motions for new trial acted on.....	28
Motions and orders acted on by chief justice in chambers.....	616

JUDGMENTS

Amount of judgments from July 1, 1942, to March 4, 1943, inclusive.....	\$3,765,487.14
Amount of above judgments with interest.....	2,731,868.19
Amount of counterclaims recovered by Government.....	56,724.56
Amount of above counterclaims with interest.....	34,199.00

COMMISSIONERS' REPORTS

Cases reported to court by commissioners.....	110
Number of cases pending on commissioners' dockets awaiting hearing of testimony and reports.....	493

SUPREME COURT ACTION ON COURT OF CLAIMS DECISIONS

Cases pending July 1, 1942 (4 petitions for writ of certiorari and 3 cases awaiting decisions).....	7
New writs of certiorari filed.....	15
Action taken on these 22 cases through March 4, 1943:	
Writs of certiorari denied.....	9
Writs of certiorari granted and decisions reversed.....	3
Writ of certiorari granted and decision affirmed.....	1
Writs of certiorari granted; awaiting decisions.....	4
Number of petitions for writ of certiorari not acted on.....	5
Number of cases in which record for writ of certiorari has been requested but not yet filed.....	1

Report showing number of cases pending July 1, 1942; number of new cases filed; number of cases disposed of during present fiscal year to Mar. 4, 1943, inclusive

Class of case	Number of cases pending July 1, 1942	Number of cases filed to Mar. 4, 1943, incl.	Number of cases disposed of to Mar. 4, 1943, incl.	Number of cases pending Mar. 4, 1943, incl.
Army and Navy.....	89	14	28	75
Congressional.....	86		9	77
Contract.....	198	24	34	188
Departmental.....	1	1	1	1
Indian.....	44	1	5	40
Miscellaneous.....	291	35	39	287
National Industrial Recovery Act.....	217		76	141
Patent.....	27	1	4	24
Railroad.....	6		1	5
Tax.....	173	51	78	146
Total.....	1,132	127	275	984

SALARIES OF LAW CLERK-STENOGRAPHERS

Mr. O'NEAL. May I ask you whether in your court the judges have clerical and stenographic assistance assigned to each of them?

Chief Justice WHALEY. Each judge has one stenographer who acts as his law clerk.

Mr. O'NEAL. And the salary range would be from what amount to what amount?

Chief Justice WHALEY. We pay them \$3,000.

Mr. O'NEAL. You only have a stenographer and a clerk?

Chief Justice WHALEY. We each have a stenographic law clerk. My stenographic law clerk gets \$3,500 because she helps me with the administration of the court. The others get \$3,000 each. Three or four of them are graduates in law and all act as law clerks.

DEFERMENTS OF PERSONNEL

Mr. O'NEAL. Have you asked for any deferments in military service?

Chief Justice WHALEY. No; but we have six people who have joined the military forces.

Mr. O'NEAL. Have you any whom you have asked to be deferred because of the character of the work they do for you?

Chief Justice WHALEY. No, sir; not a soul.

Mr. O'NEAL. You have not resisted their entry into the Army or Navy?

Chief Justice WHALEY. No. The Chief Clerk has gone into the armed services. One of the commissioners, a clerk, a fireman, a watchman, and one custodial employee have also gone into the armed services. We have had to fill the positions of clerk, fireman, watchman, and custodial employee. We have not filled the chief clerk's position nor have we filled the commissioner's but we may have to do so later on so their salaries should be provided for.

Mr. O'NEAL. Do you expect any further turn-over due to the war in your personnel, because of anyone who is within the draft age limits?

Chief Justice WHALEY. We have several but they are married and have children.

SALARIES

Mr. O'NEAL. Your appropriation for salaries for 1943 was \$207,000, and the estimate for 1944 is \$208,718, or an increase of \$1,718.

We will be glad to have you explain that.

Chief Justice WHALEY. That is purely for within-grade promotions provided for by the Ramspeck Act.

Mr. O'NEAL. Which you feel obligated to provide for?

Chief Justice WHALEY. I have to do it under the law.

Mr. O'NEAL. What is the latest figure you have as to the amount of expenditures during the present fiscal year? Do you have that figure up to February 1?

Chief Justice WHALEY. Up to February 28th the amount was \$131,650.46 for salaries and \$19,869.09 for printing, binding, and contingent expenses, including travel expenditures. We have been able to pay out the 10 percent overtime.

Mr. O'NEAL. You have absorbed that?

Chief Justice WHALEY. We have absorbed that with the money we have saved, and we think we will be able to do it, certainly up to the 30th of April, and perhaps up to the 1st of July. We have not asked for a penny.

Mr. O'NEAL. Have you the figures showing the amount of expenditures during the fiscal year 1942? You asked for a supplemental appropriation for that year, I believe.

Chief Justice WHALEY. What we spent for salaries was \$131,534, from the "Salaries, Court of Claims" appropriation and \$66,435 from the "Salaries and expenses of Commissioners" appropriation.

Mr. O'NEAL. That is for this fiscal year. I was referring to the fiscal year 1942, when you received a regular appropriation of \$200,590, and a supplemental appropriation of \$1,518. That was entirely exhausted, I suppose?

Mr. JACKSON. I have the expenditure figure for the fiscal year 1942. The amount was \$197,970.

Chief Justice WHALEY. We saved approximately \$8,500 on the 1942 appropriation, \$4,138.85 of which represented savings in salaries.

I wish to say here, Mr. Chairman, that we have lost the services of Judge Jones, who used to be a member of the House for many years.

Mr. O'NEAL. Have you just loaned him?

Chief Justice WHALEY. Yes; he was borrowed. Judge Jones proved a very capable and conscientious member of the court, and we miss his services very greatly.

Mr. O'NEAL. He was very popular on the hill, and a very able legislator.

Is he still actually on the pay roll?

Chief Justice WHALEY. Yes; he has not resigned from the court.

CONTINGENT EXPENSES

Mr. O'NEAL. The next item is for contingent expenses. The appropriation for 1943 was \$18,500, and you are asking for the same amount for 1944.

Chief Justice WHALEY. Yes, sir.

Mr. O'NEAL. Have you a break-down showing the type of expenses included in contingent expenses? I presume that is the break-down on page 160 of the committee print.

Chief Justice WHALEY. That includes office supplies and materials, utility services, communication services, transportation of things, travel, equipment and other contractual services.

TRAVEL EXPENSES

Mr. O'NEAL. The first item is travel, for which the estimate for 1944 is \$9,520.

Chief Justice WHALEY. That is to provide for the travel of the commissioners and the judges who are trying cases throughout the country.

Mr. O'NEAL. You have quite a bit of travel?

Chief Justice WHALEY. We have commissioners and sometimes judges who go out to hear cases. Of course, we only have six commissioners at the present time.

Mr. ANDERSON. I note that the actual amount for travel expenses in 1942 was \$3,150, according to the break-down. How does it happen that there is a necessity for three times that amount now?

Chief Justice WHALEY. In 1942, \$6,320 was appropriated; only \$3,150 was spent due to lesser traveling than usual. In 1943 the amount appropriated was \$8,854 and was increased because of estimated traveling during the year plus increased subsistence allowance under Public Law 272, Seventy-seventh Congress, act of October 16, 1941.

Mr. ANDERSON. In other words, you did apparently use the full amount of travel in 1942.

Chief Justice WHALEY. No. In 1942 we did not have as many out-of-town hearings as usual.

Mr. ANDERSON. Is approximately \$9,000 your average travel expense for the year?

Chief Justice WHALEY. It is about that. I am informed in reply to an inquiry of the Assistant Attorney General that there are about 1,500 cases going to be dumped on our court within 30 or 60 days, so we expect more traveling this year.

Mr. O'NEAL. You believe every bit of this amount will be needed?

Chief Justice WHALEY. I do.

Mr. O'NEAL. The law requires that the testimony shall be taken in the county where the witnesses reside?

Chief Justice WHALEY. Yes; we have to send commissioners out on those trips, and it is important that we have a sufficient amount of money for their travel.

COMMUNICATION SERVICES

Mr. O'NEAL. You also have an item for communication services, for which the estimate for 1944 is \$1,000. What does that include? Is that for the telephone bill?

Chief Justice WHALEY. Yes, sir; that is what it is. It amounts to a little less than \$100 a month.

Mr. O'NEAL. Does it include long-distance telephone calls?

Chief Justice WHALEY. There is very little long distance. It is mostly for office service. We have 7 commissioners and 5 judges, and there are 53 people in the building.

Mr. O'NEAL. That has been running at a rather uniform amount in the last few years?

Chief Justice WHALEY. We have brought that down considerably, it used to be over that amount.

RENTS AND UTILITY SERVICES

Mr. O'NEAL. The next item is for rents and utility services, for which the estimate for 1944 is \$1,400. I suppose that includes electricity and gas service, and that appears to have been practically uniform.

Chief Justice WHALEY. Yes, sir.

CONTRACTUAL SERVICES

Mr. O'NEAL. The next item is for other contractual services, and the estimate for 1944 is \$390. That is for repairs, alterations, and expenditures of that type.

Chief Justice WHALEY. Yes, sir.

SUPPLIES

Mr. O'NEAL. For the item for supplies the estimate is \$3,460.

Could you give us a break-down of that to show how that money will be expended?

Chief Justice WHALEY. The main item is coal. We are in our own private building. Congress gave us that building in 1901, and we have had it 41 years. That is the old Corcoran Art Gallery building.

Mr. O'NEAL. What do you anticipate the coal bill will be in 1943?

Chief Justice WHALEY. In 1942 it was \$1,171.07, and coal has gone up a good deal at this time.

Mr. O'NEAL. I expect you will probably have a 20-percent increase this year.

Chief Justice WHALEY. Probably.

Mr. O'NEAL. What would be the other items included under that head?

Chief Justice WHALEY. That is for office supplies, cleaning supplies, and sundry supplies.

Mr. O'NEAL. Do you feel that that is a close figure?

Chief Justice WHALEY. Yes; it is.

EQUIPMENT

Mr. O'NEAL. For equipment you have an item of \$2,710. I suppose that is for furniture, furnishings, fixtures, and so forth. Does that include books?

Chief Justice WHALEY. Yes.

Mr. O'NEAL. Will you give us a break-down of that item for 1943, and also show what you have spent on books and for other things out of that item?

Chief Justice WHALEY. Up to the present time we have spent \$693.55 on books.

Mr. O'NEAL. That is a fairly uniform amount, running through the years?

Chief Justice WHALEY. It will increase each year.

Mr. O'NEAL. You are not buying any furniture or new furnishings, or anything of that sort, are you?

Chief Justice WHALEY. No, sir; not a thing.

Mr. ANDERSON. I want to comment favorably on one thing I have noticed in the justifications. I notice that your court does not have an official automobile for its own use.

Chief Justice WHALEY. No, sir; we have not.

Mr. ANDERSEN. And I note that your employees, when they go about on official business, ride on streetcars or busses, just as we Congressmen do when we come down to work.

Chief Justice WHALEY. Yes; and that is what I used to do when I was in Congress.

Mr. ANDERSEN. That is rather unusual in Washington.

Chief Justice WHALEY. Yes. May I state that, in my opinion, this court will have a larger number of cases filed as a result of the war than any court in the United States. Today we are better off so far as our docket is concerned than any other court, except one court, and that is in Alabama.

Mr. CHANDLER. I would like to say, apropos of the comment of Congressman Andersen, that as far as I know no court in the United States has an official car. Our administrative office has a truck which we use for the delivery of supplies. But we have no official car, and I do not know of any official car attached to the United States courts.

PRINTING AND BINDING

Mr. O'NEAL. For printing and binding your estimate for 1944 is \$26,500. That is the same amount you had for 1943. There is no increase requested?

Chief Justice WHALEY. No, sir.

Mr. O'NEAL. What is included under printing and binding, and what do you anticipate you will have to do in 1944?

Chief Justice WHALEY. We have to print commissioners' reports and our opinion. We have to furnish opinions to between 30 and 40 departments and bureaus. We have to furnish the bound volumes of our opinions to each of those departments. That is all provided for by law.

Mr. O'NEAL. Everything in this item is provided for by law, and your experience shows that this is the amount you need for that purpose?

Chief Justice WHALEY. It is absolutely necessary.

Mr. O'NEAL. Have you been able to absorb the increased cost at the Government Printing Office?

Chief Justice WHALEY. The increased cost is included; that has been put in there.

Mr. O'NEAL. Did you spend all of your appropriation for that purpose in the year 1942?

Chief Justice WHALEY. About \$430 was saved.

Mr. O'NEAL. What do you think you will be able to do in the year 1943?

Chief Justice WHALEY. Mr. Chairman, I think we will be able to return a little more because this year we may only have one volume instead of two volumes.

Mr. O'NEAL. In 1944, do you anticipate printing two volumes or one volume?

Chief Justice WHALEY. I do not see how we can help having two volumes unless the work drops off, but I think it will increase a great deal, due to the war.

I understand there have been over 3,000,000 contracts awarded, and if we only get $2\frac{1}{2}$ percent of those cases then we will get about 7,000 cases in the Court of Claims.

Mr. O'NEAL. We thank you very much for your statement, Judge, and we appreciate your coming here this afternoon.

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LEGISLATIVE BRANCH
APPROPRIATION BILL, 1944

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Please return to
LEGISLATIVE SECTION
HEARINGS and finance

BEFORE THE
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH CONGRESS

FIRST SESSION

ON THE

LEGISLATIVE BRANCH
APPROPRIATION BILL, 1944

Printed for the use of the Committee on Appropriations

March 10, 1943



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LEGISLATIVE BRANCH APPROPRIATION BILL, 1944

HEARINGS CONDUCTED BY THE SUBCOMMITTEE EMMET O'NEAL (CHAIRMAN), JOE HENDRICKS, ALBERT GORE, MICHAEL J. KIRWAN, D. LANE POWERS, NOBLE J. JOHNSON, WALTER C. PLOESER, AND H. CARL ANDERSEN (SERVING TEMPORARILY), OF THE COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES IN CHARGE OF THE LEGISLATIVE-JUDICIARY APPROPRIATION BILL, 1944, ON THE DAYS FOLLOWING:

WEDNESDAY, MARCH 10, 1943.

HOUSE OF REPRESENTATIVES

STATEMENTS OF J. C. SHANKS, DISBURSING CLERK, ACCOMPANIED BY H. NEWLIN MEGILL, OF THE CLERK'S OFFICE, AND JOHN C. PAGE, PROPERTY CUSTODIAN

Mr. O'NEAL. Mr. Shanks, will you first make a statement as to your past experience, and, in general, what your activities and duties have been here on the Hill, and also tell us what are the duties of the disbursing clerk.

Mr. SHANKS. Mr. Chairman, you made a similar request last year, and I will be glad to read that statement into the record, as follows.

DUTIES OF DISBURSING CLERK

The duties of the House disbursing clerk, and his office under the jurisdiction and direction of the Clerk of the House of Representatives, are numerous in addition to disbursing funds, that is to say:

First: Handles the preparation of pay rolls and the disbursement of all salaries of employees, including clerks to Members, and all other funds appropriated for the operation of the House, with the exception of salaries and mileage of Members, which latter two accounts are handled by the Sergeant at Arms of the House. Handles all voucher payments covering the purchase of supplies, materials, equipment, and other necessary expenses, as well as the salaries and expenses of special investigating committees. All such vouchers must first be checked and audited before payment. Also, keeps complete books, records, accounts, and allocations covering each appropriation item and the expenditures therefrom. Is bonded to the Clerk of the House for the faithful performance in carrying out the duties of his office. Must comply with all laws as well as the rules and regulations of the United States Treasury, Bureau of the Budget and General Accounting Office. All accounts and disbursements are audited quarterly by the Comptroller General of the United States.

Second: Acts as Budget officer in the name of the Clerk of the House in the preparation of all estimates and handles the justifications thereof before the Committee on Appropriations.

Third: Acts as Personnel Officer of the House insofar as maintaining personnel records are concerned, and furnishes all such data and information relating thereto that may be required by an employee or the Government departments and other parties concerned.

Fourth: Has complete charge of all retirement deductions and records of about 500 employees who are under retirement as provided by law and in connection therewith must comply with all retirement laws as well as the rules and regulations of the United States Civil Service Commission.

Fifth: Must secure a personnel affidavit from each and every employee and clerk as to his or her American citizenship before paying any salary or wages. This requirement also applies to all voucher disbursements such as salary or wages paid to any person employed by an investigating committee. A complete card index file is maintained covering these affidavits.

Sixth: Has charge of the purchase and distribution of air-mail-postage stamps for Members of the House which necessitates his keeping 438 individual accounts covering the same.

For the further information of the committee would state that at the present time we are carrying over 1,900 employees in a pay status. Our monthly pay roll covering salaries only runs about \$400,000. Our total monthly disbursement, including salaries, averages \$450,000. or approximately \$5,500,000 a year. In addition to the disbursing clerk the office staff consists of six assistants.

I may add, Mr. Chairman, that since this statement was made that we now have the provision for increased compensation to take care of, and I am also in charge of the operation of the Victory tax as it affects employees of the House. Mr. Trimble, designated me as the withholding agent for the House in handling that work, and I have to account for the same and submit reports to the Bureau of Internal Revenue.

Mr. O'NEAL. Your past experience has been what?

Mr. SHANKS. I have been disbursing clerk of the House for 16 years. Prior to that I had the pleasure of serving as a secretary to a Member of Congress for 8 years, and at the same time clerk of a committee for 4 years, and for over a year as secretary to a United States Senator. I have had over 25 years' experience on Capitol Hill. I first came here in 1915, although for 2 years I was not on the Capitol pay roll. Before coming to Washington, I was employed by a large manufacturing concern for 4 years doing cost accounting, financial, and pay roll work.

Mr. PLOESER. There are 2,000 employees included under your jurisdiction?

Mr. SHANKS. All the employees of the House, including clerks to Members; everybody except the Members. We have about 1,200 clerks to Members and about 800 other employees.

Mr. PLOESER. You are including the staffs of all Members?

Mr. SHANKS. Yes, congressional clerks or secretaries. There are various other employees the number of which will fluctuate from time to time, but on a rough estimate there are about 2,000 on the roll.

COMPARISON OF 1943 APPROPRIATION AND 1944 ESTIMATES

Mr. O'NEAL. Have you a statement you would like to make to the committee?

Mr. SHANKS. Yes, sir.

Mr. O'NEAL. You may proceed.

Mr. SHANKS. Mr. Chairman, we desire to insert in the record a comparative statement marked "Exhibit A" showing the appropriations for the fiscal year 1943, the estimates for the fiscal year 1944, and the increase or decrease proposed in the estimates as compared with the current appropriations.

(Exhibit A referred to is as follows:)

EXHIBIT A.—Comparative statement showing the appropriations for 1943, the estimates for 1944, and the increase or decrease proposed in the estimates as compared with the current appropriations

Object	Appropriations for 1943	Budget estimates for 1944	Increase (+) or decrease (−) estimates for 1944 compared with appropriations for 1943
SALARIES AND MILEAGE, MEMBERS OF CONGRESS			
Salaries.....	\$4,385,000	\$4,385,000	-----
Mileage.....	171,000	171,000	-----
Total, salaries and mileage.....	4,556,000	4,556,000	-----
SALARIES, OFFICERS AND EMPLOYEES			
Office of the Speaker.....	13,500	13,500	-----
Speaker's table.....	15,400	15,400	-----
Chaplain.....	1,680	2,500	+ \$820
Office of the Clerk.....	178,540	182,144	+3,604
Committee employees.....	334,700	1 337,600	+2,900
Sergeant at Arms.....	39,100	38,800	−300
House Office Building police.....	63,480	63,480	-----
Office of the Doorkeeper.....	269,508	269,336	−172
Special and minority employees.....	22,900	22,900	-----
Special employees.....	4,740	4,740	-----
Special majority employee.....	5,000	-----	−5,000
Office of majority leader.....	13,240	13,240	-----
Office of minority leader.....	9,900	9,900	-----
Messengers, majority and minority.....	3,480	3,480	-----
Post office.....	84,680	84,680	-----
Post office motor vehicles.....	2,200	2,200	-----
Official Reporters.....	63,000	2 70,500	+7,500
Committee stenographers.....	43,360	43,360	-----
Total salaries, officers and employees.....	1,168,408	1,177,760	+9,352
CLERK HIRE, MEMBERS AND DELEGATES			
Total clerk hire.....	2,847,000	2,847,000	-----
CONTINGENT FUND			
Furniture and repairs.....	45,000	45,000	-----
Packing boxes.....	3,500	3,500	-----
Miscellaneous items.....	95,000	95,000	-----
Stenographic reports, committee hearings.....	30,000	30,000	-----
Special and select committees.....	3 400,000	4 400,000	-----
Joint Committee on Internal Revenue Taxation.....	30,000	30,000	-----
Telegraph and telephone service.....	140,000	175,000	+35,000
Stationery.....	92,600	92,600	-----
Attending physician.....	8,215	6,985	−1,260
Postage stamps.....	950	950	-----
Air mail and special delivery stamps.....	21,900	21,900	-----
Folding speeches.....	30,000	30,000	-----
Revision of the laws.....	8,000	8,000	-----
Services, various compilations (Clerk's office).....	4,500	4,500	-----
Speaker's automobile.....	4,000	4,000	-----
Total contingent expenses.....	913,695	947,435	+33,740
Total House of Representatives, general fund.....	9,485,103	9,528,195	+43,092

See footnotes at end of table.

EXHIBIT A.—Comparative statement showing the appropriations for 1943, the estimates for 1944, and the increase or decrease proposed in the estimates as compared with the current appropriations—Continued

Object	Appropriations for 1943	Budget estimates for 1944	Increase (+) or decrease (—) estimates for 1944 compared with appropriations for 1943
LEGISLATIVE MISCELLANEOUS			
Salaries, Capitol Police.....	\$100,680	\$100,680	-----
Uniforms and equipment, Capitol Police.....	9,400	9,400	-----
Capitol Police board (detail District of Columbia Metropolitan Police).....	55,000	55,000	-----
Total Capitol Police.....	165,080	165,080	-----
Joint Committee on Printing.....	11,860	11,860	-----
Legislative Counsel.....	82,550	82,000	—\$550
Statement of appropriations.....	4,000	4,000	-----
Total, legislative miscellaneous.....	263,490	262,940	—550

¹ Includes \$4,200 supplemental estimate of appropriation, fiscal year 1944, for the employment of two additional committee employees.

² Includes \$7,500 supplemental estimate of appropriation, fiscal year 1944, for the employment of an additional official reporter of proceedings and debates.

³ Includes \$250,000 additional for 1943 appropriated by H. J. Res. 82, 78th Cong., 1st sess.

⁴ Includes \$250,000 supplemental estimate of appropriation, fiscal year 1944.

MR. SHANKS. The total Budget estimates, both regular and supplemental, for the House of Representatives, fiscal year 1944, exclusive of "Legislative miscellaneous," amounts to \$9,528,195, or an increase of \$43,092 over the appropriations for the current fiscal year 1943.

The total increases in our estimates amount to \$50,124 while the total decreases amount to \$7,032, making the total net increase \$43,092. The items of increases are for salaries, officers, and employees, amounting to \$15,124. The decreases, same appropriation, amount to \$5,772, or a net increase totaling \$9,352. In the contingent fund we have an increase in one item amounting to \$35,000 and a decrease in another item amounting to \$1,260, or a net increase totaling \$33,740. All of these items of increases and decreases, as well as the regular estimates, will be explained in detail as we take up each paragraph as appearing in the Budget estimates.

SALARIES OF MEMBERS, DELEGATES, AND RESIDENT COMMISSIONER FROM PUERTO RICO

The estimates for 1944 for "Salaries of Members" calls for \$4,385,000, the same as appropriated for the current fiscal year 1943, and is based on 435 Members, 2 Delegates, and 1 Resident Commissioner, or a total of 438 at \$10,000 each and \$5,000 additional compensation for the Speaker of the House of Representatives.

MILEAGE OF MEMBERS, DELEGATES, AND RESIDENT COMMISSIONER FROM PUERTO RICO

The next item is for "Mileage of Representatives, the Delegates from Hawaii and Alaska, and the Resident Commissioner from Puerto Rico," and the amount estimated for 1944 is \$171,000, the same as appropriated for the fiscal year 1943.

SALARIES OF OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

OFFICE OF THE SPEAKER

The estimates for 1944 amount to \$13,500, the same as appropriated for 1943, there being no change whatsoever in the paragraph.

THE SPEAKER'S TABLE

The estimates for the employees at the Speaker's table for the fiscal year 1944 amount to \$15,400, the same as appropriated for the fiscal year 1943, there also being no change whatsoever in the paragraph.

CHAPLAIN

The estimate for the chaplain's compensation for 1944 totaling \$2,500 represents an increase of \$820 per annum over the basic salary of \$1,680. This additional compensation is to be paid only so long as the position is held by the present incumbent, as authorized by House Resolution 138 adopted December 2, 1942, and since December 1, 1942, we have been paying this additional rate of compensation out of the contingent fund of the House.

Mr. PLOESER. In other words, the Chaplain has been getting an additional amount?

Mr. SHANKS. Yes; by resolution of the House.

OFFICE OF THE CLERK

The next item is for the Office of the Clerk, and the estimates for 1944 amount to \$182,144 as compared with \$178,540 appropriated for 1943, or an increase of \$3,604; \$3,600 of this increase is for the employment of an assistant tally clerk as authorized by House Resolution 569 adopted November 11, 1942, and since November 1, 1942, this salary has also been paid out of the contingent fund. The remaining \$4 increase represents the additional day's salary for a substitute telephone operator on February 29, as 1944 is a leap year.

REQUESTS FOR DEFERMENT FROM MILITARY SERVICE

Mr. O'NEAL. Have you in your office requested any deferments from military service, and if so, what are they, and for what length of time have they been requested?

Mr. SHANKS. You mean in my own particular office?

Mr. O'NEAL. For any employee in the office of the Clerk of the House, or anyone else.

Mr. SHANKS. With your permission, Mr. Chairman, I will turn that matter over to Mr. Megill, who has more knowledge of the Clerk's office in general.

Mr. O'NEAL. Mr. Megill, have any deferments been asked for of any employees on the Hill, of whom you have any knowledge?

Mr. MEGILL. The Clerk has requested the deferment of only one of his employees.

Mr. O'NEAL. For what period of time was the deferment requested, and what deferment was granted?

Mr. MEGILL. A request can only be made for a 6-month period. The Clerk has repeated that request on two occasions, but I do not think the last deferment has more than 2 or 3 months to go.

Mr. O'NEAL. Is it the intention to ask that the deferment be extended when this period is completed?

Mr. MEGILL. I think that is the intention of the Clerk. It might be interesting to state that about 20 percent of the male personnel under the office of Clerk of the House has joined the armed forces. (After discussion off the record:)

TURN-OVER IN PERSONNEL, OFFICE OF CLERK

Mr. O'NEAL. Mr. Shanks, how much of a turn-over have you had during the past year in this personnel that you list?

Mr. SHANKS. In the office of the Clerk of the House we have, roughly, about 90 employees under the caption "Clerk of the House."

Mr. O'NEAL. How much of a turn-over have you had?

Mr. SHANKS. Of course, the turn-over has been greater this year, as you know, Mr. Chairman, due to the new Congress coming in. Naturally there is a redistribution of the patronage there. But the Clerk's office does not have as much turn-over as some of the other offices of the House, because the most of his jobs are more or less key positions.

Mr. O'NEAL. You have not had much in the way of lapses here that might be reflected in a reduction in the amount?

Mr. SHANKS. Absolutely no, because, in other words, everything appropriated for in the clerk's paragraph is usually filled.

Mr. O'NEAL. And filled promptly?

Mr. SHANKS. And filled promptly. Once in a while there will be a vacancy for a month or two in a patronage job, and once in a while we have a temporary fill-in until the patronage committee acts. But the Clerk's office on the whole does not have much turn-over.

EXPENDITURES OF CURRENT APPROPRIATION FOR OFFICE OF CLERK

Mr. O'NEAL. How much was spent out of this appropriation for the fiscal year 1943?

Mr. SHANKS. Roughly, it is broken down into 12 periods and is all based on monthly disbursements.

Mr. O'NEAL. What have you spent up to March 1?

Mr. SHANKS. I have not the exact figure here for the Clerk of the House.

Mr. O'NEAL. Suppose you put that in the record.

Mr. SHANKS. Up to March 1 would be eight-twelfths of the appropriation, because it is all based on monthly payments.

NOTE.—Out of a total appropriation for the Clerk's office, amounting to \$178,540 we expended to February 28, the sum of \$120,617.01, which includes the 10 percent additional compensation from December 1, 1942, as provided by Public Law No. 821, approved December 22, 1942. However, by omitting this additional amount for 3 months our net disbursement would amount to \$117,204.48, or an average of \$14,650 per month. Therefore, our available balance as of March 1, amounting to \$61,335.52 will just about see us through for the next 4 months to the end of the fiscal year to pay basic salaries only.

(After discussion off the record:)

STATUS OF APPROPRIATION FOR SALARIES OF OFFICERS AND EMPLOYEES

Mr. SHANKS (continuing). We are turning back for 1942 an unexpended balance of \$21,693 out of the appropriation salaries O. and E., and the original appropriation for salaries O. and E. was \$1,777,000.

Mr. O'NEAL. You are running very close to the full figure?

Mr. SHANKS. Right. I might say of that \$21,693, at least \$13,000 represented an unexpended balance in the lump-sum account for the Appropriations Committee, which they did not use. They received about \$15,000 in the Appropriation Committee's paragraph for the employment of additional employees, and the most of it was not used.

I might state that only about \$7,000 accumulated from unfilled jobs.

Mr. O'NEAL. Suppose you give us the figure as of March 1 of what has actually been disbursed.

Mr. SHANKS. That will be for the whole appropriation for House of Representatives employees?

Mr. O'NEAL. Yes.

Mr. SHANKS. I will give that right up to date.

NOTE.—For the 8-month period to February 28, 1943, the total expenditures for salaries, officers and employees amounted to \$804,081.87 (including the 10 percent additional compensation from December 1, 1942) out of an appropriation amounting to \$1,203,000. The balance as of March 1, totaling \$398,918.13, represents just about one-third of the total amount appropriated.

COMMITTEE EMPLOYEES

Mr. O'NEAL. Now take up the next item.

Mr. SHANKS. For committee employees the total estimates for 1944, both regular and supplemental, amounting to \$333,700 and \$4,200, respectively, total \$337,900. However, the net increase amounts to only \$3,200, and we are recommending a further decrease of \$300 which will bring our total net increase to \$2,900. We submit the following explanations:

First, the assistant clerk to the Committee on Appropriations at \$3,900 and \$300 additional so long as the position was held by the present incumbent received a different assignment with the committee, which vacated the position of the assistant clerk just mentioned. A successor has been duly appointed at the basic salary of \$3,900 and accordingly the \$300 additional should now be eliminated from the bill, which will reduce our total estimate, both regular and supplemental, by that amount.

Second, the regular or original estimates were reduced by \$1,000 on account of the position of assistant clerk to the Committee on Claims at \$1,800 and \$1,000 additional so long as the position was held by the first incumbent appointed thereto. This particular employee left the legislative service to accept another Government position, with the result that this \$1,000 additional was dropped from the estimates and the position reverted to the basic salary of \$1,800 per annum.

Third, a new position should be provided for the employment of an assistant clerk to the Committee on Immigration and Naturalization at the rate of \$2,400 per annum as authorized by House Resolution No. 35 adopted January 28, 1943.

Fourth, a new position should also be added for the employment of a clerk-stenographer to the Committee on Rules at the rate of

\$1,800 per annum as authorized by House Resolution No. 50 adopted January 25, 1943.

Mr. O'NEAL. You have been carrying those out of the contingent fund?

Mr. SHANKS. Out of the contingent fund, except the position of assistant clerk to the Committee on Immigration and Naturalization, who has not yet been designated.

Mr. O'NEAL. But the one for the Committee on Rules has been?

Mr. SHANKS. Yes. For that matter, he was employed all during the preceding Congress, and paid out of the contingent fund.

The new resolution reads until otherwise provided by law.

These latter two new positions total \$4,200 and a supplemental estimates for this amount was submitted to the Bureau of the Budget under date of February 17, 1943, and is contained in House Document No. 119.

Therefore, our total net estimates for 1944 should read \$337,600 as compared with \$334,700 appropriated for 1943, or, as heretofore stated, a net increase totaling \$2,900.

Mr. O'NEAL. Will you put in there the latest figure you have as to expenditures from the 1943 appropriation, also, under this item?

Mr. SHANKS. All right.

NOTE.—The appropriation for committee employees amounts to \$334,700. The expenditures to February 28, 1943 (including 10 percent additional compensation from December 1, 1942), amount to \$212,623.08, leaving a balance of \$122,076.92 as of March 1, or a little more than one-third of the original appropriation.

OFFICE OF THE SERGEANT AT ARMS

Mr. O'NEAL. Now take up the office of the Sergeant at Arms.

Mr. SHANKS. The estimates for 1944 call for \$38,800 as compared with \$39,100, or a decrease of \$300. This decrease of \$300 has been omitted from the estimates as the Deputy Sergeant at Arms in charge of pairs who received this \$300 additional so long as he held the position at a basic salary of \$3,600 retired from his position and this additional amount was automatically dropped from the 1944 budget.

POLICE FORCE, HOUSE OFFICE BUILDING

There is no change in the paragraph covering the police force for the House Office Building under the jurisdiction of the Sergeant at Arms. The estimate for 1944 is the same as that appropriated for 1943, amounting to \$63,480.

For the office of the Sergeant at Arms, including the House Office Building police force, \$102,280 was appropriated. To February 28, 1943, \$68,671.65—including the 10 percent additional compensation from December 1, 1942—was expended. The balance, \$33,808.35, also represents just about one-third of the original appropriation.

OFFICE OF THE DOORKEEPER

The regular budget estimates for 1944 for the office of the Doorkeeper amount to \$269,336, as compared with \$269,508 appropriated for 1943, or a net decrease amounting to \$172. First of all, we recommend that our total budget estimates for 1944 be reduced by \$360,

making the total read \$269,336 instead of \$269,696 as appearing in the committee print. The 1943 act provided that the two chief pages at \$1,980 each should be paid \$180 each additional so long as the respective positions were held by the respective present incumbents. Both of these employees have been appointed to other positions in the House and accordingly their successors were appointed at the basic salary of \$1,980 each. Therefore, the following provision should be eliminated from the appropriation paragraph, "and \$180 each additional so long as the respective positions are held by the respective present incumbents." Next, we show the total amount required for the salary of 47 pages to be \$44,216, or an increase of \$188 over that appropriated for 1943. This total increase of \$188 is due entirely to the fact that 1944 is a leap year, and that amount will be required to pay the pages' salaries for the 1 day, February 29.

Mr. O'NEAL. Do you know of any deferments that have been asked for there?

Mr. SHANKS. No, sir; because that would be entirely up to the officer in charge of that department.

Mr. O'NEAL. Do you know what the turn-over has been under the doorkeeper?

Mr. SHANKS. No; we do not keep the turn-over as a matter of record in that way.

Mr. O'NEAL. Is your appropriation running proportionately?

Mr. SHANKS. It is running proportionately all the way through. For the office of the Doorkeeper, \$269,508 and \$34,592, an indefinite appropriation for pages' salaries was appropriated, making a total appropriation to date amounting to \$304,100. For the 8 month's period ending February 28, we expended \$202,350.39 (including the 10 percent additional compensation from December 1, 1942). The balance for 4 months amounting to \$101,749.61, represents about one-third of the total appropriation.

SPECIAL MINORITY EMPLOYEES

The estimate for special employees for 1944 amounts to \$4,740, the same as appropriated for 1943.

Mr. JOHNSON of Indiana. What are "special employees"?

Mr. SHANKS. In the paragraph on page 38, you will notice "Special minority employees." They are minority employees authorized by resolution of the House at the beginning of the Congress and \$22,900 is the same as was appropriated the year before.

Mr. JOHNSON of Indiana. What I was referring to was the \$4,740 for "Special employees."

Mr. SHANKS. That is the second paragraph on page 38, providing for an assistant foreman of the folding room, \$1,980; laborer, \$1,380; and a laborer at \$1,380.

I notice in rewriting this statement that the paragraphs for special and minority employees were reversed.

SPECIAL EMPLOYEE FOR THE MAJORITY

Mr. O'NEAL. Now, what about the special employee for the majority?

Mr. SHANKS. You will note that we have blocked out the position of a special employee for the majority at \$5,000. This position

when provided stipulated that the same should continue only during such period as it was occupied by the first incumbent thereof. This employee died last year and, accordingly, the position and salary has been omitted from the 1944 budget.

OFFICE OF MAJORITY FLOOR LEADER

The estimates for 1944 amount to \$13,240, the same as appropriated for 1943, there being no change in that paragraph.

OFFICE OF THE MINORITY LEADER

There is also no change in the office of the minority leader and the estimates for 1944 amounting to \$9,900 remain the same.

MESSENGERS, MAJORITY AND MINORITY CAUCUS ROOMS

The estimate for the messengers to the majority and minority caucus rooms for 1944 amounts to \$3,480 which is also the same amount as appropriated for the fiscal year 1943.

POST OFFICE

There is no change in the personnel or salaries of the post office and the estimate for 1944, amounting to \$84,680, remains the same as appropriated for 1943.

PURCHASE, EXCHANGE, ETC., FOR POST OFFICE MOTOR VEHICLE

The next paragraph covering motor vehicles for the House post office and carrying the mails amounts to \$2,200 for 1944, the same as that appropriated for the fiscal year 1943.

Mr. O'NEAL. That is current, is it? Your payment on that ratio remains about the same in the 12 months' period?

Mr. SHANKS. Absolutely. Under the basic law of 1908 all annual salaries must be broken down into 12 months and 30-day periods each.

For the office of the Postmaster \$84,680 was appropriated, the expenditures to February 28, 1943 (including the 10 per cent additional compensation from December 1, 1942), amounted to \$55,816.96. The balance \$28,863.04 is also about one-third of the original appropriation to run for the balance of the fiscal year.

Mr. JOHNSON of Indiana. How about deferments?

Mr. SHANKS. There are no deferments, to my knowledge. Mr. Scott, the postmaster, will have to answer that when he appears before you.

Mr. O'NEAL. How much has been spent to date under that item?

Mr. SHANKS. I have not the figure in front of me, but I would estimate, roughly, it would be in the neighborhood of around \$2,000.

Mr. O'NEAL. In other words, you think it requires this full amount?

Mr. SHANKS. That would be entirely for the postmaster to answer.

OFFICIAL REPORTERS OF DEBATES

The next paragraph relates to the office of the Official Reporters of Debates, and under date of February 25, 1943, we submitted through the Bureau of the Budget a supplemental appropriation of \$7,500 per annum for the employment of an additional official reporter of proceedings and debates as authorized by H. Res. No. 134, adopted February 24, 1943. Therefore, our total estimates for 1944 should read \$70,500 instead of \$63,000 as indicated on the committee print, or an increase of \$7,500 over that appropriated by the 1943 act.

Mr. O'NEAL. In other words, the House considered that matter and decided another official reporter was needed?

Mr. SHANKS. Yes.

Mr. O'NEAL. And that would increase your amount for salaries of official reporters?

Mr. SHANKS. Yes, by \$7,500. We are paying that now out of the contingent fund. The Speaker made the designation last month and we will pay it out of the contingent fund until July 1.

COMMITTEE STENOGRAPHERS

This paragraph remains the same and the amount estimated for 1944, \$43,360, is the same as appropriated for 1943.

The total estimates for 1944 covering the preceding paragraphs under "Salaries, officers and employees," amount to \$1,177,760 as compared with \$1,168,408 appropriated for the current fiscal year 1943, or an increase of \$9,352.

Mr. O'NEAL. Why the change in wording on page 43 of the bill from 181 to 182 days?

Mr. SHANKS. That is due entirely to it being leap year.

CLERK HIRE, MEMBERS AND DELEGATES

The next paragraph provides for the clerk hire allowance for each Member of the House, Delegate and Resident Commissioner, and the estimate for the fiscal year 1944 amounts to \$2,847,000, the same as that appropriated for the current fiscal year.

Mr. O'NEAL. Was there any return in 1942 from that amount?

Mr. SHANKS. Yes, sir; \$14,355.

Mr. O'NEAL. And what is the latest figure you have for 1943?

Mr. SHANKS. I do not have my appropriation ledger in front of me.

Mr. O'NEAL. Put that in the record.

Mr. SHANKS. Yes. And the clerk hire, of course, is based on an allowance of \$6,500 per annum as provided by law for 438 Members, including the Delegates from Alaska and Hawaii and the Resident Commissioner from Puerto Rico. Of course, some Members do not utilize it all.

Mr. O'NEAL. That is the way you set it up; but, when it is not utilized, there will be a saving of that amount?

Mr. SHANKS. A saving at the end of the year.

Mr. O'NEAL. What is the latest date for which you have that?

Mr. SHANKS. I can work that up for you, as of March 1.

NOTE.—The total appropriation for clerk hire, Members and Delegates, amounted to \$2,847,000. Up to February 28, 1943, we expended \$1,944,109.22 (including the 10 percent additional compensation from December 1, 1942).

The balance, \$903,775.48, is available toward paying the basic salaries only for the balance of the fiscal year from March 1, 1943.

It might be advisable to state for the record that in nearly every case our available balances of the several appropriations out of which we disburse funds for salaries, will not be sufficient to run to the end of the fiscal year for the reason that pursuant to the act of December 22, 1942, we have since December 1, 1942 been paying 10 percent additional compensation to all those receiving a basic salary of \$2,900 or less per annum, and 10 percent of \$2,900 to all those receiving salaries in excess of that rate providing that the total aggregate salary paid did not exceed the rate of \$5,000 per annum. In other words, by using our available funds to pay this additional compensation it will necessitate our securing a deficiency appropriation for the several appropriation accounts (heretofore mentioned) before the end of the current fiscal year.

CONTINGENT EXPENSES OF THE HOUSE

We now take up the contingent fund of the House and accordingly submit herewith a detailed statement marked "Exhibit B" showing the appropriations and expenditures of the contingent fund from July 1, 1942, to January 31, 1943, inclusive, and the balance of each item unexpended as of February 1, 1943. Each item in the contingent fund will now be taken up with explanatory remarks.

Mr. O'NEAL. Suppose you insert this exhibit B in the hearings.

Mr. SHANKS. Yes, sir.

(Exhibit B referred to above is as follows:)

EXHIBIT B.—House of Representatives contingent fund 1943—expenditures from July 1, 1942, to Jan. 31, 1943, inclusive

Items	Appropriated	Expended to Jan. 31, 1943	Balance Feb. 1, 1943
Furniture and repairs.....	\$45,000	\$17,099.29	\$27,900.71
Packing boxes.....	3,500	3,499.45	.55
Miscellaneous items.....	95,000	54,931.72	40,068.28
Stenographic reports of committee hearings.....	30,000	2,712.00	27,288.00
Special and select committees.....	1400,000	133,946.84	1266,053.16
Joint Committee on Internal Revenue Taxation.....	30,000	15,331.22	14,668.78
Telegraph and telephone service.....	140,000	48,850.32	91,149.68
Stationery.....	92,600	34,165.94	58,434.06
Attending physician.....	8,245	5,459.05	2,785.95
Postage stamps.....	950	950.00	—
Air mail and special delivery stamps.....	21,900	19,426.16	2,473.84
Folding speeches and pamphlets.....	30,000	15,355.08	14,644.92
Revision of the laws.....	8,000	3,782.50	4,217.50
Services, various compilations (clerk's office).....	4,500	3,269.80	1,230.20
Speaker's automobile.....	4,000	1,696.95	2,303.05
Compiling testimony, contested elections.....	—	—	—
Total.....	913,695	360,476.32	553,218.68

¹ Includes \$250,000 additional for 1943, appropriated by H. J. Res. 82, 78th Cong., 1st sess.

FURNITURE AND REPAIR SHOP

Mr. O'NEAL. The first item under contingent expenses is "Furniture and repairs."

Mr. SHANKS. In connection with the furniture and repair shop, the property custodian in charge thereof reports that during the fiscal year 1942, 15,838 different pieces of work was performed such as that listed at the top of exhibit C which we desire to have inserted in the record at this point.

Mr. O'NEAL. We will put that in the record.

(The exhibit above referred to is as follows:)

EXHIBIT C.—*Summary of work executed by the furniture repair shop, House of Representatives, during the fiscal year 1942, the character of work consisting of repairing, upholstering, refinishing, the making of and repairing and hanging window shades and venetian blinds, the cleaning of rugs and carpet, and making special pieces of furniture, fumigating of offices and shops*

	Number of pieces	Labor
LABOR, TOOLS, AND MACHINERY		
<i>Item 1.</i> —Repairing, refinishing, and reupholstering furniture and equipment, House Office Buildings	6,480	\$15,292.36
<i>Item 2.</i> —Repairing and construction of furniture for standing committees, gallery, cloak rooms, Speaker's lobby, floor of the House, and offices House side of Capitol	1,022	1,945.05
<i>Item 3.</i> —Repair of venetian blinds, making of shades, cleaning and hanging of draperies	1,856	1,097.00
<i>Item 4.</i> —Odd jobs in Members' offices and committee rooms requiring 2 hours or less time	1,690	1,539.70
<i>Item 5.</i> —Helpers, at \$4 per day, exclusive of Sundays, for miscellaneous work such as handling, delivering, and moving of furniture, equipment, and rugs, including congressional trunks, insect extermination work		3,902.50
<i>Item 6.</i> —Polishing of furniture in members offices and committee rooms in both House Office Buildings and in House side of the Capitol	4,790	
<i>Item 7.</i> —Annual and sick leave of mechanics, plus national holidays		3,258.00
Total pieces	15,838	
Total labor		27,034.61
Tools and machinery		240.89
Total amount expended		27,275.50
Balance transferred to materials and equipment		1,724.50
Total amount allocated		29,000.00
RUGS, MATERIAL, AND EQUIPMENT		
Amount allocated		16,000.00
Amount transferred from labor allocation		1,724.50
Total		17,724.50
Expended for rugs and carpet	\$6,532.87	
Expended for furniture and equipment	1,423.43	
Expended for materials and supplies	9,287.68	
Total expenditure		17,243.98
Balance unexpended		480.52
Total amount, regular appropriations 1942		45,000.00
Total amount, expended, fiscal year 1942		44,519.48
Balance unexpended		480.52

Mr. SHANKS. Our estimates for 1944 for furniture and repairs call for \$45,000, the same as appropriated for the current fiscal year 1943 and which has been our regular appropriation for the several previous years.

Out of the appropriation of \$45,000 for 1943 we disbursed \$17,099 up to January 31; that is, on an actual payment; however, it must be borne in mind that we are 1 or 2 months always behind in paying our current obligations for the reason that we are usually billed on a monthly basis and it is several weeks or longer after the close of each month before we receive the bulk of our vouchers for payment. Therefore, our balance of \$27,900 as of February 1 will be materially reduced after all vouchers are in at the end of the fiscal year. We all know that owing to the present-day abnormal conditions, buying supplies and materials is becoming a harder problem each day. We not only must look for substitutes but in nearly every case have to pay more money than we ordinarily would in normal times. We have also been unable to keep up with our rug requirements; that is, furnishing new rugs each year, as has been the

policy in the past, so instead of purchasing new rugs to be installed during the fiscal year 1943, the Clerk of the House and his property custodian, with your approval, rejected all bids that were submitted last June for the reason that the material offered did not in any way meet our specifications. By our not purchasing new rugs we will from now on be called upon to repair and renovate our rugs more often, with the result that our repair and cleaning bills will undoubtedly increase in proportion.

In view of the fact that we purchased no new rugs this year, the Clerk of the House and his property custodian hope to be able to return to the United States Treasury an unexpended balance of about \$5,000 at the end of the current fiscal year as compared with an unexpended balance of \$480.52 for the fiscal year 1942. Therefore, it is our honest conviction that we will not be able to purchase any new rugs during the fiscal year 1944; and, although the prospects that our repair and cleaning bills will increase, as well as the material for other necessary repairs of the shop, I have been instructed by the Clerk of the House to make the recommendation that our estimates for 1944 be reduced by \$5,000, which we will have to reflect in a material and equipment account, in other words, making the amount of the paragraph read \$40,000 and leaving the allocation of \$29,000 in the body of the paragraph for labor, tools, and machinery the same.

MR. O'NEIL. I think you might make a brief statement as to the set-up of the furniture and repair department down there, to show how the work is handled and the economy in doing it in this way, rather than by contract.

MR. SHANKS. With your permission, Mr. Page, the property custodian in charge of the furniture and repair shop is here with us and I would like him to handle that.

MR. O'NEAL. Mr. Page, we will be glad to have you make a brief statement for the record on the work in the furniture and repair shop.

MR. PAGE. That work, as you notice in this exhibit C which Mr. Shanks prepared for the office of the custodian, has increased in several instances and decreased in others.

On the first item, "Repairing, refinishing, and reupholstering furniture and equipment, House Office Buildings," that usually consists of small pieces, such as chairs, which are more numerous than large pieces, and the breakage is due to a lot of changing over of the Members going into the new session. And there is such a large turn-over this year that our work has increased; also the fact that the session last year went clear through without a break, which made our work just that much heavier.

In item 2, "Repairing and construction of furniture for standing committees, gallery, cloak rooms, Speaker's lobby, floor of the House, and offices outside of Capitol." That consists mostly of large pieces of furniture, committee tables, bookcases, double desks, and so forth.

The "Repair of venetian blinds, making of shades, cleaning and hanging of draperies"—that has increased due to the fact they are about 9 years old in the new building now and the additional amount that the Architect has placed in the Capitol Building.

The "Odd jobs in Members' offices and committee rooms requiring 2 hours or less time"—that figure is based according to the calls

when they are received in the office and the man is given his work ticket to go out, the time lost going to and from the office and coming back after the completion of the work. Chair parts become worn out and have to be replaced, tables, casters, and so on.

Item 5, "Helpers at \$4 per day, exclusive of Sundays, for miscellaneous work, such as handling, delivering, and moving of furniture, equipment, and rugs, including congressional trunks, insect extermination work." That has been an added burden on us this past year. Mr. Bender, I believe, brought that up on the floor of the House last year after the committee had made its report and since then we have been taking care of that with our own men, requiring more of their time for that particular work. And usually it is after the regular working hours that we have to do that.

As to the "Polishing of furniture in Members' offices and committee rooms in both House Office Buildings and in the House side of the Capitol," we have been able to take care of that with our regular men this year and find, in doing so, we have been able to have the Members more satisfied with the work that has been done. I think that figure has increased and probably will increase as furniture grows older—in the old building especially. The furniture in the new building is beginning to show considerable wear and tear and the work there has increased about 75 to 80 percent.

The annual and sick leave of mechanics is as shown there.

Mr. O'NEAL. That is \$3,258. Is that not a rather high figure, or is that just based on the law?

Mr. PAGE. That takes in the annual leave of all men and sick leave, and the national holidays.

Mr. SHANKS. If I might interrupt there, the monthly pay roll runs on a basis of about \$2,200 and each man is entitled to 30 days' leave. That would account for \$2,200 out of the \$3,258. The balance of \$1,000 is for sick leave where time cannot be charged to anything else. So the total amount is not out of proportion.

Mr. O'NEAL. How much of an organization do you have down there, Mr. Page; how many men?

Mr. PAGE. We have three upholsterers now and one typewriter mechanic who has been placed on the roll to take care of the typewriter repair work in the buildings, and we have two cabinetmakers and one helper.

Mr. O'NEAL. Have you asked for any deferments?

Mr. PAGE. No, sir; we have not asked for a one.

Mr. O'NEAL. You feel there is quite an economy in handling our repair work and the other work you do by retaining our own force here, rather than by trying to do it by contract?

Mr. PAGE. Absolutely. We would have our transportation expense attached to that besides if we had it done outside, and I do not think the concerns here in Washington now could handle this at all, under present conditions.

Mr. O'NEAL. Do you care to make any further statement about this, Mr. Page?

Mr. PAGE. No, sir; I think that covers it pretty well.

Mr. SHANKS. If I am not mistaken, several years ago it was estimated that the same amount of work would cost about three times as much to have it done outside on a contract basis, as to do it ourselves.

Mr. O'NEAL. I would like to say, Mr. Page, I have heard of no criticism and have gotten many compliments about the work of your department around the House.

Mr. PAGE. Thank you, sir.

PACKING BOXES OR TRUNKS

Mr. O'NEAL. Now take up your next item, Mr. Shanks.

Mr. SHANKS. The next item is for the so-called packing boxes or trunks for the use of the Members each year. On advertising bids for the current fiscal year we received only two replies; one stated that they could not furnish trunks at this time; the other submitted a bid at a unit price of \$8.94 delivered, and the contract was accordingly awarded. To be perfectly frank, we were not only surprised to receive this lone bid but were more so when the trunks were actually delivered in January of this year, as due to the scarcity of materials we did not think the contract could be fulfilled. This bid of \$8.94 was \$1.10 higher per unit than the contract price for 1942, namely, \$7.84. Out of our appropriation of \$3,500 for 1943 we purchased 391 trunks for the first session of the Seventy-eighth Congress. This number, together with a balance of 145 on hand, gave us a grand total of 536 trunks, and by reserving 438 for the first session of the Seventy-eighth Congress will leave a balance of about 98 trunks for future distribution. As you will note from the estimates, we are again asking \$3,500 for 1944. However, whether this amount will be sufficient or, for that matter, we will be successful in securing any bids or trunks for the next fiscal year is a question we cannot answer at this time although the outlook, owing to present-day conditions, is not very favorable; and if the money is appropriated and cannot be used it will, of course, revert to the United States Treasury.

PRIORITIES REQUESTED

Mr. O'NEAL. I would like to ask you one question, Mr. Shanks. As the business agent for all of the activities on Capitol Hill, what priorities have you asked for to take care of the service on the Hill?

Mr. SHANKS. About a year ago it was necessary to purchase two small counting machines, for counting the members' votes by the tally clerks, costing about \$16 apiece.

Mr. O'NEAL. Those were little hand-operated machines?

Mr. SHANKS. Yes.

Mr. O'NEAL. Are those all of the priorities that were requested?

Mr. SHANKS. As far as my knowledge goes. I think we also made one request in connection with a shaving machine for the official reporters of debates. That is a machine that shaves the wax cylinders used on their dictating machines. The motor was burned out. First we were going to try to buy a new motor and a priority was asked. The machine was over 20 years of age and could not be very well maintained. Those were the only two priorities asked. Mr. Page, however, have to submit requests in connection with maintaining inventory of his stock every 3 months. He has made requests for priorities for some new equipment, but was turned down cold; one of those requests was for new stenographer chairs.

MR. O'NEAL. Have you been granted any priorities, Mr. Page?

MR. PAGE. Yes, sir. In the first quarter of the calendar year, we made some requests and those priorities run from AA-5 to A-8 and No. A-10 is almost entirely out now.

MR. O'NEAL. What does that include?

MR. PAGE. That includes bolts, screws, nuts, washers, hinges, locks, chair parts, casters, lumber of all kinds with the exception of mahogany and fir plywood.

MR. O'NEAL. All of this material is used in your repair work?

MR. PAGE. It is all used on repair work; yes, sir.

MISCELLANEOUS ITEMS

MR. O'NEAL. Mr. Shanks, will you proceed with miscellaneous items?

MR. SHANKS. We now take up "Miscellaneous items," and for the current fiscal year we have set up the usual 10 allocations. These allocations are mostly arbitrary and are fixed only as a matter of convenience and guidance. They may necessarily have to be increased or reduced, depending upon conditions beyond our control as we progress throughout the fiscal year. A table is herewith submitted marked "Exhibit D" showing the purpose for which each allocation is made, the amounts temporarily allocated and the amounts so far expended up to January 31, 1943. Each one of these allocations will now be taken up with explanatory remarks.

(Exhibit D referred to is as follows:)

EXHIBIT D.—*Miscellaneous items 1943, July 1 to Jan. 31, 1943—Appropriation \$95,000*

Items	Amount allocated	Amount expended July 1, 1942, to Jan. 31, 1943	Balance Feb. 1, 1943
1. Miscellaneous supplies, repairs, etc.....	\$3,500	\$1,112.12	\$2,387.88
2. Newspapers.....	2,500	1,757.57	742.43
3. Typewriter machines.....	5,000		5,000.00
4. Ice.....	2,500	1,278.57	1,221.43
5. Laundry.....	12,000	4,540.74	7,459.26
6. Gratuities, funerals of deceased employees.....	20,000	13,765.00	6,235.00
7. Miscellaneous pay roll, House resolutions.....	12,000	3,338.64	8,661.36
8. Reimbursement, committee stenographers.....	7,500	1,616.16	5,883.84
9. Material for folding.....	2,500	22.92	2,477.08
10. House restaurant.....	27,500	27,500.00	
Total.....	95,000	54,931.72	40,068.28

Appropriated, "Legislative Act 1943, Public No. 600, approved June 8, 1942.....	\$95,000.00
Expended to Jan. 31, 1943.....	54,931.72
Balance Feb. 1, 1943.....	40,068.28

MISCELLANEOUS SUPPLIES, REPAIRS, ETC.

Allocation No. 1 covers miscellaneous supplies of all classes such as cleaning materials and equipment, including hand towels, soap, drinking cups, toilet tissue, and such other supplies and materials that may be required.

MR. O'NEAL. How are these bought?

MR. SHANKS. They are all purchased through the Clerk's office on requisitions of the various departments of the House, such as cleaning supplies, which would come from the chief janitor's office, and so forth.

Mr. O'NEAL. They are in amounts small enough not to require calling for competitive bids?

Mr. SHANKS. That is correct; yes.

I might state for the information of the committee that all such articles are purchased only with the approval of the Committee on Accounts as well as disbursement of all other funds out of miscellaneous items and the contingent fund in general. For this particular allocation we have set up \$3,500 with an expenditure of \$1,112.12 to January 31, leaving a balance of \$2,387.88 to run to the end of the fiscal year.

Mr. O'NEAL. You feel your experience has been such that you will need \$3,500?

Mr. SHANKS. Yes, sir; it used to run a great deal higher than that.

Mr. O'NEAL. From your experience so far in 1943, it is running considerably below that, and I was wondering if that item could take a slight cut without any impairment to the service.

Mr. SHANKS. I would not want to answer that offhand, Mr. Chairman, because it depends altogether on what the situation is in a particular session of the Congress.

Mr. O'NEAL. You have used only approximately \$1,100 to January 31 as against a suggested appropriation of \$3,500 for the full year.

Mr. SHANKS. That is true, but you must bear in mind that disbursements are 1 or 2 months behind our obligations. I would say that if we only spent \$3,500 we will be having a remarkable year.

Mr. O'NEAL. Proceed with your next item, Mr. Shanks.

PURCHASE OF NEWSPAPERS FOR MEMBERS' LOBBY

Allocation No. 2 is for newspapers for Members' lobby. The amount allocated is \$2,500; \$1,757.57 expended as of January 31, leaving a balance of \$742.43.

Mr. O'NEAL. These are bought by subscription?

Mr. SHANKS. Yes.

Mr. O'NEAL. Approximately how many newspapers are purchased?

Mr. SHANKS. In the neighborhood of a hundred newspapers. Of course, newspaper subscriptions have gone up considerably in the last year. We have increased this allocation from \$2,000 to \$2,500.

Mr. O'NEAL. According to those figures, these subscriptions would run an average of \$25 per year.

Mr. SHANKS. Some of the papers from the far West run \$18 or \$19 or \$20 a year or more.

Mr. O'NEAL. But your average seems to be \$25 a year.

Mr. SHANKS. I was giving only a rough figure of the number of papers. I will have to check that, to get the exact figure.

Mr. O'NEAL. I do not think the average would run as high as \$25. Will you please check that?

Mr. SHANKS. I shall be glad to do that. We also buy papers out of this account every month through the Capital News Co. Those are papers that come down on the night train and we get them sooner than we would if we had them sent through the mail.

Mr. O'NEAL. Submit a statement on this item for our information.

Mr. SHANKS. I shall do that.

(The statement requested is as follows:)

Our newspaper subscriptions by mail total 125 and we purchase 19 additional each day through the Capital News Co., or a grand total of 144 papers. Our highest subscription rate is \$22 per year.

PURCHASE AND REPAIR OF TYPEWRITER MACHINES

Mr. SHANKS. Allocation No. 3 covers the purchase and repair of typewriters for the Members, standing and special committees, and the various departments of the House. The allocation shows \$5,000, with no disbursement as having yet been made. Although we are purchasing no new typewriters at this time we will, however, have a fairly sized repair bill by the end of the fiscal year, that is to say the repairs and upkeep on our machines will be greater than heretofore and although we take care of minor adjustments a machine to be overhauled or reconditioned must be returned to a factory branch and the cost thereof will run anywhere from \$5 to \$20 per machine, depending upon the age of the machine. These are contract prices the Government entered into through the Procurement Division. Usually the typewriter companies bill us only once or twice a year, and, although we have already requested billing up to December 31, 1942, the statements have not as yet been received but the \$5,000 allocation should be ample to meet our requirements.

Mr. O'NEAL. Heretofore has \$5,000 been the standard figure for this purpose?

Mr. SHANKS. No; we used to run \$20,000 to \$25,000.

Mr. O'NEAL. For 1943 you asked for \$5,000. Was that based on the fact that you could not buy new typewriters?

Mr. SHANKS. That is correct.

Mr. O'NEAL. What was the figure for 1942?

Mr. SHANKS. Around \$22,000. That is when new machines were being purchased.

Mr. O'NEAL. This is not only for the purchase of machines, but the repair of them. Charges are rendered to you for machines which you have to send back to the factories to be repaired?

Mr. SHANKS. That is correct.

Mr. O'NEAL. Have you any idea how much you have in the way of indebtedness for that purpose?

Mr. SHANKS. I asked the gentleman in charge of our typewriters about a month ago and he said he would send back about 200 machines. More machines probably will be sent back next year. We are up against this situation. Our special investigating committees, which are numerous at this time, all call for equipment. These machines have to be reconditioned for their use, because we are not asking for any priorities to buy new typewriters.

Mr. O'NEAL. You feel that this is a close figure?

Mr. SHANKS. I do, Mr. Chairman, in a way. It may not run that high this year, but, as I shall bring out later in my statement, these allocations are made up as a guide to start us off at the beginning of the year. We may have to adjust these amounts depending upon conditions. For instance, I had to increase one allocation \$10,000, and cut it off from some of the other allocations.

Mr. O'NEAL. These are interchangeable, then?

Mr. SHANKS. Yes. These are fixed by my office with the approval of the Clerk of the House to start off the year and subject to change as we get along from month to month.

Mr. O'NEAL. Your miscellaneous total then is interchangeable as between the various items?

Mr. SHANKS. Yes; because something special may come up and we will have to adjust these allocations.

PURCHASE OF ICE

Mr. O'NEAL. Take up allocation No. 4.

Mr. SHANKS. Allocation No. 4 covers the purchase of ice. For this item \$2,500 has been allocated; expenditures, \$1,278.57; balance, \$1,221.43. We received three competitive bids for furnishing ice for the current fiscal year and all three were the same, namely, 35 cents per 100 pounds delivered, and the contract was again awarded to the same bidder as the year before at the same price, as that concern has given us excellent service.

Mr. O'NEAL. Where is this ice used?

Mr. SHANKS. We have an ice box here. It is used in connection with the House restaurant, drinking fountains and coolers throughout the Capitol Building where they do not the automatic cooling system, and also over in the House Office Building. We furnish the ice to the Architects's Office, for the shops downstairs, and so forth. This is a small item, and it was taken over by us, with the approval of the Committee on Accounts, years ago. We have only one ice box, and if we did not take care of same this way, then that ice would be left out on the sidewalks in the summer time, and half of it would melt away before it could be put to use.

Mr. O'NEAL. Has the price of ice gone up?

Mr. SHANKS. It is the same as last year. It did go up the year before. It went up from 23 cents to 35 cents. The price here is the same as for the previous year.

Mr. O'NEAL. Take up your next allocation, No. 5, laundry.

LAUNDRY EXPENSES FOR HOUSE SIDE OF THE CAPITOL AND THE HOUSE OFFICE BUILDING

Mr. SHANKS. Allocation No. 5 covers laundry for the two House Office Buildings and the House side of the Capitol. \$12,000 is the allocation; expenditures, \$4,540.74; and the balance, \$7,459.26. It must be borne in mind that although all of our expenditures as listed specify up to January 31, the vouchers for such running expenses, as stated before, are 1 or 2 months late in being presented for payment. Therefore, this balance, although seemingly somewhat high, will not be any too much to run the balance of the fiscal year as this expenditure will increase materially when the warm weather sets in.

Mr. O'NEAL. Laundry prices have increased?

Mr. SHANKS. Yes, sir.

In the current fiscal year only two bids were submitted, namely, \$1.50 and \$1 per 100 pieces, respectively. The contract was awarded to the low bidder at \$1 and which was the same concern that had the contract for the past several years. However, this bid of \$1 was 28 cents higher than the low bid for 1942, which was at the rate of 72 cents, but in order to have laundry service there was nothing for us to do but to accept the bid and absorb the difference in cost. It is quite interesting to note that laundry service in the past 2 years has increased 150 percent. For the fiscal year 1941 and prior fiscal years this service cost us only 40 cents per 100 pieces, but in less than 2 years it jumped from 40 cents to \$1, the current price, and what the low bid is likely to be for the next fiscal year we cannot say.

GRATUITIES AND FUNERALS OF DECEASED EMPLOYEES

Allocation No. 6 covers gratuities and funeral expenses of deceased employees, including clerks to Members. It is the policy of the House whenever such an employee or clerk dies to pass a resolution providing for the payment of 6 months' compensation and an additional sum not to exceed \$250 toward defraying the funeral expenses of the deceased. Our allocation amounts to \$20,000; disbursements \$13,765; balance \$6,235. However, for your information would state that since preparing this statement we have paid out a further sum of \$1,300 and in addition have pending in the disbursing office resolutions calling for \$2,450 additional. This latter amount will be disbursed as soon as we receive the necessary paid undertaker bills. Therefore, taking these last two amounts into consideration totaling \$3,750 our unobligated balance as of this date would amount to only \$2,485.

MISCELLANEOUS PAY ROLL BY RESOLUTIONS

Allocation No. 7 covers the employment and increased compensation of employees as authorized by House resolutions. The allocation specifies \$12,000; disbursements, \$3,338.64; balance, \$8,661.36. This balance, however, will be entirely absorbed by the end of the fiscal year.

As mentioned at the beginning of my hearings, four or five new positions were just recently authorized by the House to be paid out of the contingent fund until otherwise provided by law; one position at \$7,500; another at \$3,600; and so on down. If additional expenditures should be authorized between now and June 30 this allocation will have to be increased.

Mr. O'NEAL. What is the relationship of this to the disbursement fund? Do you pay for some of this out of the contingent fund?

Mr. SHANKS. All of this is paid out of the contingent fund, and we shall continue to do so until June 30. Then we pick these items up by law in the legislative bill beginning July 1, but in the meantime, up to June 30, we have to pay it out of the contingent fund.

Mr. O'NEAL. And this is where it appears in your appropriation, under miscellaneous pay roll by resolutions?

Mr. SHANKS. That is correct, in allocation No. 7. That is the only appropriation item we can pay it out of.

REIMBURSEMENT TO COMMITTEE STENOGRAPHERS

Allocation No. 8 covers reimbursement to the committee stenographers for actual expenses paid out by them for transcribing hearings held by the various standing committees of the House. Out of an allocation of \$7,500 we expended \$1,616.16; the balance of \$5,883.84 will now be absorbed rapidly each month, as the main hearings for the current fiscal year have only gotten under way in the last month or so, and as a result, our disbursements will now be greater.

MATERIALS FOR FOLDING

Allocation No. 9 covers materials for folding in connection with the folding room. Out of an allocation of \$2,500 practically nothing so far has been expended, although this item usually runs in the neigh-

neighborhood of \$2,000 a fiscal year, but should any balance be left the amount will be redistributed among other needed allocations.

Mr. O'NEAL. What are those materials?

Mr. SHANKS. Cord, twine, paper and paste, such things as are used in the folding room in connection with the wrapping of books for Members and the folding of pamphlets and speeches, and so forth.

Mr. O'NEAL. How is it that so little was spent?

Mr. SHANKS. They have a pretty good stock on hand. With the approval of the Committee on Accounts, their stock of cord was doubled a year ago.

Mr. O'NEAL. In other words, they have larger inventories?

Mr. SHANKS. Yes. We must first try to get these items through the Procurement Division, and if we cannot, then we go outside.

Mr. O'NEAL. Take up allocation number 10.

HOUSE RESTAURANT

Mr. SHANKS. Allocation No. 10 covers operating expenses of the House restaurant. The appropriation paragraph specifically provides that \$27,500 be paid to the Architect of the Capitol in accordance with Public Act No. 812 approved October 9, 1940, and pursuant thereto \$27,500 was accordingly allocated and paid over to that official.

This concludes the explanation of the several allocations just mentioned. Our total estimates for "Miscellaneous items, fiscal year 1944," amount to \$95,000, the same as appropriated for 1943. The total disbursement as of January 31 amounts to \$54,931.72, leaving a balance of \$40,068.28. Whether or not the \$95,000 appropriation we are again requesting will be sufficient we cannot state at this time; it will depend entirely upon conditions and prices beyond our control. For that matter, we are likely to incur a deficit out of the same amount appropriated before the end of the fiscal year June 30, 1943, in which case we will, of course, have to request a deficiency or supplemental appropriation by that time.

STENOGRAPHIC REPORTS OF COMMITTEE HEARINGS

The next paragraph covers "Stenographic reports of committee hearings." Our estimates for 1944 call for \$30,000, the same as appropriated for 1943. Our disbursements up to January 31 amount to \$2,712, leaving a balance of \$27,288. As the standing committees are now under way holding their usual hearings, the expenditures out of this account are now increasing rapidly. Most of this appropriation is usually expended during the last 6 months of a fiscal year or, in other words, the first 6 months of each regular session of the Congress, and expenses from now on will run, based upon past expenditures, in the neighborhood of \$5,000 a month and we, therefore, recommend that the usual appropriation of \$30,000 again be allowed for 1944.

Mr. O'NEAL. How much did you spend in 1942 for this purpose?

Mr. SHANKS. For 1942 we had an appropriation of \$25,000 and a deficiency of \$15,000, making a total of \$40,000, and we turned back \$3,698.

Mr. O'NEAL. Do you think this will be adequate?

Mr. SHANKS. I hope so.

Mr. O'NEAL. Proceed with your next item.

EXPENSES OF SPECIAL AND SELECT COMMITTEES

MR. SHANKS. Our next item in the contingent fund is "Expenses of special and select committees," and for the fiscal year 1944 we have submitted an estimate in the original Budget of \$150,000 and a supplemental estimate of \$250,000, the latter being submitted under date of February 17 and is contained in House Document No. 119, making our total estimates for 1944 amount to \$400,000, which amount is the same as that appropriated for the current fiscal year 1943 consisting of \$150,000 in the Legislative Act and \$250,000 additional by the "First Deficiency Appropriation Act, 1943." H. R. 1975 passed the House on February 26 and which we expect will finally be passed within a very short time. Our original \$150,000 has become entirely exhausted and the various committees are now incurring deficits, which accounts, of course, will be paid as soon as the additional \$250,000 becomes available. Before discussing this subject matter further we desire to insert in the record for the information of the committee a statement marked "Exhibit E" which shows the various investigating committees that were in existence during the Seventy-seventh Congress, the total amounts of their authorization, the amounts expended, and the balance of the authorization as of January 1, 1943. As stated, this is being inserted only so that the committee may be acquainted with the status of these various committees at the close of the Seventy-seventh Congress.

(Exhibit E referred to is as follows:)

EXHIBIT E.—House of Representatives, special investigating committees, Jan. 1, 1943

	Total au- thorization	Total ex- penditure to Dec. 31, 1942	Balance of authoriza- tion
Conservation Wildlife Resources (special committee)-----	\$7,500	\$4,875.75	\$2,624.25
Un-American Activities (special committee):			
Old appropriation-----	125,000	120,491.92	14,508.08
New appropriation-----	² 370,000	348,688.58	21,311.42
Air Accidents Investigation-----	³ 43,000	39,790.84	3,209.16
Petroleum Investigation (Interstate Foreign Commerce Com- mittee)-----	30,000	18,040.54	11,959.46
Merchant Marine and Fisheries Committee (national defense pro- gram)-----	⁴ 27,000	25,978.32	1,021.68
Interstate Migration of Destitute Citizens (special committee)-----	23,000	22,865.52	⁵ 134.48
National Defense Migration (special committee)-----	40,000	40,004.76	⁶ 4.76
Small Business-National Defense (special committee)-----	20,000	16,655.27	3,344.73
National Defense Program:			
Committee on Naval Affairs-----	⁷ 90,000	63,339.69	26,660.31
Committee on Military Affairs-----	⁸ 65,000	57,759.01	7,240.99
Civilian employment in Government departments (Civil Service)-----	3,000		3,000.00
St. Lawrence Waterways (Rivers and Harbors)-----	2,500	1,595.35	904.65
Defense Housing Program (Public Buildings and Grounds)-----	10,000	3,223.62	6,776.38
National Park Survey (Public Lands Committee)-----	2,000	1,534.61	465.39
Total-----	858,000	764,843.78	93,156.22

¹ The balance of \$4,508.08 (Un-American Activities-Old Appro.) is listed for information only. It cannot be used for further expenditures.

² Includes \$150,000.00 additional authorized by H. Res. 91, Feb. 11, 1941, and \$110,000.00 authorized by H. Res. 475, Apr. 28, 1942.

³ Includes \$5,000.00 additional authorized by H. Res. 525, July 21, 1942, also \$3,000.00 additional authorized by H. Res. 570, Nov. 11, 1942.

⁴ Includes \$2,000.00 additional authorized by H. Res. 577, Dec. 2, 1942.

⁵ The balance of \$134.48 (Interstate Migration of Destitute Citizens). It cannot be used for further expenditures.

⁶ Deficit.

⁷ Includes \$40,000.00 additional authorized by H. Res. 479, May 5, 1942.

⁸ Includes \$15,000.00 additional authorized by H. Res. 542, Sept. 24, 1942.

Mr. O'NEAL. These run just during the period of the Congress?

Mr. SHANKS. Unless otherwise stipulated or limited in the resolution.

Mr. O'NEAL. Are there any of which you have knowledge that are stipulated otherwise?

Mr. SHANKS. There is one. I am going to insert an exhibit, exhibit F, a little later, which will give the full story on these committees and which will include the new committees.

Mr. O'NEAL. All of the committees which were in existence in the Seventy-seventh Congress have been continued for the Seventy-eighth?

Mr. SHANKS. Not all of them.

Mr. O'NEAL. Which ones have not been?

Mr. SHANKS. I cover that in my statement, if I may take it up at this point.

Mr. O'NEAL. Proceed.

Mr. SHANKS. At this point we also would like to incorporate in the record a further statement marked "Exhibit F" listing the various investigating committees which have been authorized or reauthorized by the Seventy-eighth Congress, January 1943. This exhibit shows the exact amount these committees have to their credit, that is, since January 3, 1943, totaling \$538,386.99, and by referring to the footnotes information can be had as to whether the various amounts are a new authorization or an additional amount including the unexpended balances on hand at the close of the Seventy-seventh Congress.

As mentioned before your Deficiency Committee last month, this is an appropriation on which no one can make any definite prediction, and the best we can do is to merely estimate our requirements based upon the action of the House in authorizing these various investigations. There is no question in our mind, however, that several of these committees will receive additional funds during the current year, and in order to avoid our appropriation becoming exhausted again, especially before the next session in January 1944, we fully believe that we are justified in requesting that at least \$400,000, the total amount of our estimates, be made available for the fiscal year 1944. There are several other investigations still pending and if they should pass and funds are authorized those additional amounts will increase our allocation account and expenditure that much more.

(Exhibit F referred to is as follows:)

EXHIBIT F.—*House of Representatives special investigating committees,
78th Cong., January 1943*

	<i>Amount authorized</i>
Conservation Wildlife Resources (special committee)-----	¹ \$7,500.00
Air Accidents Investigation (special committee)-----	² 3,209.16
National Defense Program (Merchant Marine and Fisheries Committee)-----	³ 51,021.68
Small Business—National Defense (special committee)-----	⁴ 25,844.73
National Defense Program:	
Committee on Naval Affairs-----	¹ 50,000.00
Committee on Military Affairs-----	¹ 50,000.00
Civilian Employment in Government Departments (Civil Service Committee)-----	⁶ 34,500.00
Federal Communications Commission (special committee)-----	¹ 60,000.00
Subversive Activities of Government Employees (Committee on Appropriations)-----	(⁶)
Financial Activities of Executive Departments and Agencies (Committee on Appropriations)-----	¹ 100,000.00
Activities of Executive Departments and Agencies Beyond the Scope of Their Authority (special committee)-----	¹ 60,000.00
Un-American Activities (special committee)-----	⁷ 96,311.42
Total-----	538,386.99

¹ New authorization.² Unexpended balance of \$3,209.16 reauthorized.³ Unexpended balance of \$1,021.68 reauthorized and \$50,000 additional.⁴ Unexpended balance of \$3,344.73 reauthorized and \$22,500 additional.⁶ Unexpended balance of \$3,000 reauthorized and \$31,500 additional.⁶ No funds as yet authorized.⁷ Unexpended balance of \$21,311.42 reauthorized and \$75,000 additional.

Mr. O'NEAL. When you speak of the expenses of these committees, what expenses are included? Is every expense included?

Mr. SHANKS. That covers travel, salaries of employees, counsel, investigators, and so forth.

Mr. O'NEAL. And it is a blanket authority to be used in the discretion of the committee?

Mr. SHANKS. Yes; with the final approval by the Committee on Accounts. In other words, the original resolution comes out of the Rules Committee and passes the House. The money resolution comes from the Committee on Accounts, and the money is expended on vouchers approved by the chairman of the committee and allowed by the Committee on Accounts. They come to the Disbursing Office first, where we audit the vouchers, to see that they are in proper form. We submit them to the Committee on Accounts, where they are scrutinized and if approved come back to my office for payment.

If any item is questionable, that is a matter that comes within the jurisdiction of the Committee on Accounts. In the past several months, although Mr. Cochran, the chairman, has been ill and in a hospital, vouchers have been taken out to him for his personal perusal and for his advice. I know that just the other day over 20 were taken out to him.

AUDIT OF ACCOUNTS OF DISBURSING OFFICE

Mr. O'NEAL. What audit is made of your accounts, Mr. Shanks?

Mr. SHANKS. The Comptroller General of the United States audits the accounts of our Office.

Mr. O'NEAL. How often?

Mr. SHANKS. Every quarter. We submit an account current report, and all the original vouchers together with the original pay rolls of the clerks to the Members, and all original vouchers of disbursement are all made up by appropriation accounts.

Mr. O'NEAL. What becomes of the audit that is made by the Comptroller General?

Mr. SHANKS. That comes out on an official audit report, indicating whether there are discrepancies or balances due the United States. It is approved and signed by the Comptroller General, and if there is any discrepancy or any suspension, it will appear, and there will be an explanation attached thereto.

Mr. O'NEAL. And where does that go; to the Speaker's office?

Mr. SHANKS. The administrative copy goes to the Speaker's office, but the original from the Comptroller General comes to us.

BALANCES IN ACCOUNTS OF INVESTIGATING COMMITTEES

Mr. O'NEAL. As a rule, these investigating committees return some money to the Treasury; they do not use all of the funds that are appropriated to them.

Mr. SHANKS. That is true in quite a few cases, Mr. Chairman. Sometimes appropriations are made piecemeal. You might allow a committee \$50,000 for 3 or 4 months, or more, and then they may need more money to carry on the investigation.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

Mr. O'NEAL. Take up the item, "Joint Committee on Internal Revenue Taxation."

Mr. SHANKS. The next item is for salaries and other expenses for the Joint Committee on Internal Revenue Taxation, which committee was created by the Revenue Act of February 26, 1926. The estimates for 1944 amount to \$30,000, the same as that appropriated for the current fiscal year 1943. I happen to know that this committee has been going through a slight reorganization necessitating the employment of additional expert personnel, and it is possible that the \$30,000 as contained in the 1944 budget for the House share and a similar amount for the Senate share may not be sufficient to meet their requirements. However, as members of the staff of this committee will appear before your committee in person, they will at that time explain the needs of their organization.

Mr. O'NEAL. This is an expense borne jointly between the House and the Senate; \$30,000 from the House and \$30,000 from the Senate?

Mr. SHANKS. That is correct.

TELEGRAPH AND TELEPHONE SERVICE

We now take up the item of "Telegraph and telephone service." For the fiscal year 1944 we are requesting \$175,000 as compared with \$140,000 appropriated for 1943, or an increase of \$35,000. Up to January 31 our books show a disbursement of \$48,850.32, but during this past month of February we expended \$40,719.08 additional, or a total disbursement at this time amounting to \$89,569.40, leaving an unexpended balance of \$50,430.60. The total expenditure just quoted covers the

telephone account through January, but only December for the telegraph account, and this figure does not reflect the cost of the so-called pick-up bills which come in for disbursement anywhere from 4 to 6 months late. In other words, we have practically 6 months more of expenditures ahead of us to the end of the fiscal year, and on the same ratio our total expenditure will be approximately \$180,000. Of the total amount so far expended, \$54,607 represents the telegraph account; and the remainder, \$34,962, represents the telephone account. Although our available balance for 1943 shows \$50,430, we are facing, at the rate we are going, a deficit of about \$40,000 by the end of the fiscal year, which deficiency or supplemental appropriation we will have to secure before June 30. As a matter of comparison, our appropriation for the fiscal year 1942 was \$180,000, which included a \$50,000 deficiency passed last November, of which we have expended to date about \$170,000.

In my hearing before the Deficiency Committee last year I inserted a comparative statement of the telegraph and telephone account for the previous 5 fiscal years showing the total appropriations, the amounts expended, and the unexpended balances. If this committee so desires I will insert in the record in connection with this hearing a copy of this statement, although it appears on page 2 of the hearings on the second supplemental national defense appropriations bill for 1943. Therefore, in order to avoid the repetition of securing supplemental appropriations each year for the telegraph and telephone account, we urge that our appropriation for the fiscal year 1944 be fixed at \$175,000, which amount will not be excessive, especially in view of the fact that our expenses for both telegraph and telephone service increased considerably due to the abnormal conditions under which we are today working, and I am quite sure that the Congress will be in continuous session throughout the fiscal year 1944.

Mr. O'NEAL. To what do you attribute this increase in the cost of telephone and telegraph service?

Mr. SHANKS. Mainly to the fact that Congress has been in continuous session, year in and year out.

Mr. O'NEAL. Of course, we were in continuous session the year prior to this, too.

Mr. SHANKS. At that time, as I stated, we required \$180,000. If you will refer to the previous appropriations, we used to get \$130,000. Three or four years ago the Government rate used to be 40 cents on the dollar and now it is 60 cents, a 50 percent increase. That jumped up our expense account about \$30,000 or \$40,000.

STATIONERY FOR MEMBERS AND COMMITTEES

Mr. O'NEAL. We will take up the stationery item.

Mr. SHANKS. The next item is our stationery account, and our estimate for 1944 amounts to \$92,600, the same as appropriated for the fiscal year 1943, which allowance is on the basis of \$200 per Member, Delegate, and Resident Commissioner, as well as \$5,000 for the standing committees and various departments of the House.

Mr. O'NEAL. What is the explanation of the change of language in the item?

Mr. SHANKS. That is merely a change from the first to the second session of the Seventy-eighth Congress, as indicated in the paragraph.

Mr. O'NEAL. That is common practice?

Mr. SHANKS. It is the practice to make the appropriations for each session of the Congress.

EXPENSES OF THE OFFICE OF THE ATTENDING PHYSICIAN

The next paragraph is for the office of the attending physician, and the estimate for 1944 calls for \$6,985, as compared with \$8,245 allowed for 1943, or a decrease of \$1,260. Out of the appropriation for 1943 we expended \$5,459.05, leaving a balance on hand February 1 amounting to \$2,785.95. The attending physician will undoubtedly appear before your committee in connection with this appropriation account.

PURCHASE OF POSTAGE STAMPS FOR USE OF OFFICERS OF THE HOUSE

The next item is for the purchase of postage stamps for the official use of the four officers of the House, as specified in the appropriation paragraph and the total estimate for 1944 amounting to \$950 remains the same as that appropriated for 1943 and previous years.

AIR MAIL AND SPECIAL DELIVERY STAMPS FOR MEMBERS OF THE HOUSE

Our next item is "Air mail and special delivery stamps for the official use of Members of the House," and the estimate for 1944 is the same as that appropriated for 1943, namely \$21,900. As specified in the paragraph, these stamps are issued only upon request and then in an amount not exceeding \$50 each during a fiscal year. For the information of the committee, would state that at the close of the fiscal year 1942 out of the same appropriation of \$21,900 for air mail stamps only we had an unexpended balance amounting to \$4,663.16, but our balance for the current year as of January 31 amounted to only \$2,473.84, covering both air mail and special delivery stamps. In appearing before your Deficiency Committee last month we recommended that the unexpended balance of air mail stamps 1942 be reappropriated and made available for air mail and special delivery stamps, fiscal year 1943. This authorization is contained in the First Deficiency Appropriation Act, 1943, H. R. 1975, which passed the House on February 26. This additional amount will be sufficient to take care of our requirements for all Members to the end of the current fiscal year, June 30. This additional amount is required due to the fact that 106 new Members and one new Delegate came into office with the Seventy-eighth Congress.

FOLDING SPEECHES AND PAMPHLETS

The next item is for folding speeches and pamphlets by the folding room of the House under the Doorkeeper's department. The estimates for 1944 amount to \$30,000, the same as that appropriated for 1943. Our expenditures up to January 31 amounted to \$15,355.08 and the balance of \$14,644.92 we expect will be ample to meet our requirements.

PREPARATION AND EDITING OF THE LAWS

The next item is for the preparation and editing of the laws under the supervision of the Committee on Revision of the Laws. The estimate for 1944 is \$8,000, the same as that appropriated for the current fiscal year 1943, which appropriation is used by the committee in preparing supplements to both the United States and District of Columbia Codes. The expenditures to January 31 amounted to \$3,782.50; the balance, \$4,217.50.

Mr. O'NEAL. They will probably use that amount of the 1943 appropriation?

Mr. SHANKS. Yes, sir.

SERVICES, VARIOUS COMPILATIONS CLERK'S OFFICE

The next item is for payment for services of assistants in compiling reports and other such information and data as specified in the appropriation paragraph. The estimate for 1944 amounts to \$4,500, the same as that appropriated for 1943 and previous fiscal years. Up to January 31 we expended \$3,269.80, leaving a balance of \$1,230.20.

OPERATION OF THE SPEAKER'S AUTOMOBILE

The next item is for the operation of the Speaker's automobile. The amount of the estimate for 1944 is \$4,000, the same as appropriated for the fiscal year 1943 and prior fiscal years. A similar appropriation is also allowed the Vice President.

UNEXPENDED BALANCE OF APPROPRIATIONS, FISCAL YEAR 1942 AND PRIOR FISCAL YEARS, TO BE RETURNED TO THE UNITED STATES TREASURY.

For the additional information of your committee we desire to place in the record the following itemized statement, marked "Exhibit G," showing the unexpended balances of appropriations for the fiscal year 1942 and prior fiscal years which we contemplate returning to the United States Treasury before the end of the present fiscal year, totaling \$72,882.70.

(Exhibit G referred to is as follows:)

EXHIBIT G.—*Unexpended balances of appropriations, fiscal year 1942 and prior fiscal years, to be returned to the U. S. Treasury*

Salaries, officers and employees, 1942-----	\$21,693.88
Clerk hire, members and delegates, 1942-----	14,355.00
Folding documents, 1942-----	8,761.00
Furniture and repairs:	
1942-----	480.52
1941-42-----	891.04
Miscellaneous items, 1942-----	9,357.22
Stenographic reports of committee hearings, 1942-----	3,690.96
Special and select committees:	
1941-42-----	142.53
1942-----	1.48
Telegraph and telephone service, 1941-----	6,119.53
Uniform and equipment, Capitol Police, 1942-----	23.64
Legislative counsel, 1942-----	1,733.90
Joint Committee on Internal Revenue Taxation, 1942-----	3,053.72
Salaries and expenses, detailed Metropolitan Police, 1942-----	2,578.28
Total -----	72,882.70

AMOUNT OF TOTAL ESTIMATE FOR 1944 EXCLUSIVE OF LEGISLATIVE
MISCELLANEOUS

Mr. SHANKS. The total amount estimated for the various items in the contingent fund for the fiscal year 1944 which we have just discussed amounts to \$947,435, as compared with \$913,695 appropriated for the current fiscal year 1943, including supplemental appropriations, or an increase of \$33,740, although this latter increase can be reduced to \$28,740, representing the \$5,000 reduction we recommended for the furniture and repair account.

LEGISLATIVE MISCELLANEOUS

With your permission we will now take up the items under the heading of "Legislative miscellaneous."

CAPITOL POLICE

Under the heading of "Capitol Police" we have three separate appropriations as follows:

For "Salaries, Capitol Police," the estimate for the fiscal year 1944 calls for \$100,680, the same as that appropriated for the fiscal year 1943.

Mr. O'NEAL. Is there not a great turn-over in this force?

Mr. SHANKS. There is a great turn-over. Most of these positions are patronage appointments. The salaries of these policemen are only \$1,620 a year, and they are always getting other jobs and leaving.

Mr. O'NEAL. I should think, in view of this large turn-over, that the full amount would not be required.

Mr. SHANKS. When a man leaves, someone has to be put in his place immediately even though temporary in order to cover the various posts and for protection of the building and grounds so that there is practically no saving.

Mr. O'NEAL. You have found that on a monthly basis you use exactly one-twelfth of this total?

Mr. SHANKS. Yes.

UNIFORMS AND EQUIPMENT, CAPITOL POLICE

The items covering the purchase and supplying of uniforms, police cars, and contingent expenses, amounting to \$9,400 for 1944, is the same as that appropriated for 1943.

Mr. O'NEAL. What does this item include?

Mr. SHANKS. This is not only for new clothing but renovating of clothing, cutting down uniforms to fit different sized men; laundry and cleaning services; guns, revolvers, ammunition; expenses of that kind.

CAPITOL POLICE BOARD—DETAILED DISTRICT OF COLUMBIA METROPOLITAN POLICE

The next paragraph covers salaries and expenses of detailed police to the United States Capitol, as specified in the appropriation paragraph, and the estimate for 1944 amounts to \$55,000, the same as that appropriated for 1943.

All of the three foregoing appropriations are disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

Mr. O'NEAL. The total expenditure here is \$55,000?

Mr. SHANKS. Yes, sir.

Mr. O'NEAL. We are appropriating \$55,000 for this purpose?

Mr. SHANKS. That is correct.

Mr. O'NEAL. For miscellaneous legislative expenses, one-half of which is for the Senate, the total amount is herewith presented by the House and does not appear in the Senate part of the legislative bill; is that correct?

Mr. SHANKS. That is correct.

JOINT COMMITTEE ON PRINTING

For the Joint Committee on Printing the estimates for 1944 call for \$11,860, the same as that appropriated for the fiscal year 1943, there being no change in the paragraph. One-half of this amount is also disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

OFFICE OF THE LEGISLATIVE COUNSEL

The estimate for the Office of the Legislative Counsel for the fiscal year 1944 amounts to \$82,000, which is a decrease of \$550 from that appropriated in the 1943 legislative bill. Of the total amount requested for 1944, \$42,000 shall be disbursed by the Secretary of the Senate and \$40,000 by the Clerk of the House of Representatives. For the record, would state that the decrease of \$550 in the 1944 estimates is reflected in the amount to be disbursed by the Clerk of the House for the Office of the Legislative Counsel of the House of Representatives.

This, Mr. Chairman, concludes our statement covering the various items in the Budget estimates for the operation of the House of Representatives for the fiscal year 1944.

Mr. O'NEAL. I should like to depart from my usual custom and make this statement: I think no one appears before this committee, or any other committee of which I have knowledge, with a more comprehensive or clearer report than does Mr. Shanks. I think the House is to be congratulated in having a man like Mr. Shanks who attends to the business affairs of the House in such a clear, concise, and interesting way.

Mr. JOHNSON of Indiana. I think the whole committee would concur in that statement; I know I do.

Mr. ANDERSEN. I should like the record to show that that expresses my own opinion, too.

Mr. O'NEAL. I am glad to note that both the majority and minority sides express the same sentiment.

Mr. SHANKS. Thank you, Mr. Chairman and gentlemen.

MONDAY, MARCH 15, 1943.

OFFICE OF SERGEANT AT ARMS

STATEMENT OF KENNETH ROMNEY, SERGEANT AT ARMS

SALARIES

Mr. O'NEAL. We have the Sergeant at Arms with us this afternoon, and we will be glad to have a statement from you, Mr. Romney, in reference to your estimates.

For salaries you had an appropriation for 1943 of \$39,100, and the estimate for 1944 is \$38,800.

We will be glad to have you explain that item and tell us about that decrease, and the general situation.

I believe there was \$300 paid for a position held by one man, and when he left \$300 was deducted.

Mr. ROMNEY. That is right.

Mr. O'NEAL. You have not asked for any deferments in your office from military service?

Mr. ROMNEY. No, sir.

(Discussion off the record.)

HOUSE OFFICE BUILDING POLICE FORCE—SALARIES

Mr. O'NEAL. I believe your office has charge of the House Office Building police force, which includes 1 lieutenant, 3 sergeants, and 35 privates.

Mr. ROMNEY. Yes, sir.

Mr. O'NEAL. For that police force the appropriation for 1943 was \$63,480, and the estimate for 1944 is the same amount.

Mr. ROMNEY. Yes, sir.

Mr. O'NEAL. Do you care to make some general statement with reference to the policemen in the House Office Building?

Mr. ROMNEY. I also have charge of half of the police on what is known as the joint roll. The joint roll carries the names of policemen who serve in the Capitol Building proper and on the grounds.

I would like to make a statement about that.

Mr. O'NEAL. Suppose you explain the relationship with relation to the Capitol police, for which there was an appropriation in 1943 of \$100,000, and your request for 1944 is the same amount.

Mr. ROMNEY. The Capitol police, so-called, are on what is known as the joint roll. Half of them are appointed by the Sergeant at Arms of the Senate and the other half by the Sergeant at Arms of the House. We have joint jurisdiction over those police.

They are all under the jurisdiction of the Capitol Police Board, consisting of the Sergeant at Arms of the Senate, the Sergeant at Arms of the House, and the Architect of the Capitol. I want to discuss that situation briefly. It seems to me that this committee and the House are confronted with the proposition of whether they want to maintain the Capitol police or abolish them.

We have kept that police force intact only with the greatest difficulty. The turn-over is astounding. We cannot get men to come here

from a distance or get really any kind of good men to work at \$135 per month base pay.

We have suspended all the qualifications which we formerly had, raising and lowering the age limits, and have resorted to every sort of expedient to keep a force at all. On two different occasions during this last winter there were more than 10 changes in a week. We have to take what we can get.

I think this committee and the House are confronted with the question whether you are going to maintain a police force or not.

Mr. O'NEAL. How many vacancies have you now in the House Office Building police force and in the Capital police force?

Mr. ROMNEY. Referring to vacancies—and I filled one this morning—I would say there are at the moment no actual vacancies for the reason that we have collected a list of names of men who will work, men whom we can get. Some of them come from retired officers of the Metropolitan Police, who make very good officers and are willing to work for that money.

Mr. JOHNSON. What are the age limits?

Mr. ROMNEY. We had a limit of from 22 years to 50 years, but we had to take that off.

Mr. JOHNSON. Do you have a strict physical examination of any kind?

Mr. ROMNEY. We did have under the old regulations. Now we look at a man and, if he is apparently sound, we have to take him.

Now, coming back to the matter of vacancies, I would say that if we were appointing them as we did formerly, when they were brought here by Members of the House, there must be at least 30. But we had to fill them.

Mr. JOHNSON. You are able to recruit men and fill those vacancies?

Mr. ROMNEY. Sometimes we have vacancies that we cannot fill.

(Discussion off the record.)

Mr. ROMNEY. These men get jobs at the Union Station paying \$180 a month.

Mr. JOHNSON. Have you lost any men who have gone to the Union Station?

Mr. ROMNEY. Yes, sir; we have.

Mr. O'NEAL. What is your recommendation to correct that situation?

Mr. ROMNEY. I am going to make a very conservative recommendation.

But first let me call attention to this: Whoever fixed this cock-eyed salary system in effect around here—and it goes way back—under which they pay doorkeepers \$10 a month more than policemen, made a great mistake. It is simply indefensible.

A policeman works 8 hours a day every day. A doorkeeper goes to work at 12 o'clock and quits when the House adjourns, and if the House is not in session, he is gone all day.

A policeman certainly has more responsibility, because policeman are charged with the protection of this valuable property. A policeman has to use discretion and initiative.

What I would like to have this committee do is to raise the base pay of policemen to \$145 a month, which is what the doorkeepers get, and

then when the pay-increase bill is passed, that might bring them up to where we can get some good men.

But if anybody can defend the proposition of paying doorkeepers more than policemen, I would like to hear him. It still will not be equitable to pay men who work 8 hours a day all the year round the same as doorkeepers, with just the amount of leave provided by law and the regulations.

Mr. JOHNSON. Are the doorkeepers paid on a monthly basis, regardless of whether Congress is in session or not.

Mr. ROMNEY. Yes, they get \$145 a month for a full year.

(Discussion off the record.)

Mr. ROMNEY. I think policemen should get \$10 a month more than doorkeepers, because of the difference in work. I would like to see the committee make a bigger differential between privates, sergeants, and lieutenants. A sergeant gets only \$5 more than a private, but he is responsible for the whole detail on an 8-hour shift. I think that differential should be at least \$10 a month more than the private, and that the lieutenant ought to get \$10 or \$15 a month more than the sergeants. The same applies to the special officer.

Mr. O'NEAL. Have you presented this to the Committee on Accounts?

Mr. ROMNEY. I have not.

I have presented this matter to this committee every year in peacetime, and last year I stressed it as much as I could.

(Discussion off the record.)

Mr. JOHNSON. I wonder how it would do to work out some plan of putting doorkeepers on the basis of being paid for the time worked, rather than on a straight monthly salary.

Mr. ROMNEY. I do not want to make any invidious comparisons between the doorkeepers and the police. I am citing that case only to show how indefensible it is.

Mr. JOHNSON. I think we agree with you, but since it has come to the attention of the committee that such a condition exists, I wonder if it would not be well to work out a pay basis of that sort for the doorkeepers.

(Discussion off the record.)

Mr. ROMNEY. I would be opposed to that.

I think now that Congress is in session practically all the year round the doorkeepers earn their salaries, because they have to be here all the time. They have to be prepared to be on the doors at all times, whenever the House is in session. My only purpose in calling attention to the difference in pay was to show you the injustice that has been done to the police through the years, and to show you the amount of work and the responsibility they have.

Mr. JOHNSON. I think that is true.

(Discussion off the record.)

Mr. JOHNSON. Do you think it would increase the efficiency of the police force to place them under civil service?

Mr. ROMNEY. No, I do not.

Let me leave this thought with you. This situation to which I have called attention is purely a local family situation which this committee can adjust, without any disparity between policemen and doorkeepers or any other employees of the Capitol. It is an adjustment

that should be made, and I would like you gentlemen to consider it very carefully.

Mr. JOHNSON. How long has that condition existed; from the beginning?

Mr. ROMNEY. It has existed as long as I know anything about it. (Discussion off the record.)

Mr. O'NEAL. The committee will give careful consideration to your suggestions, Mr. Romney.

MONDAY, MARCH 15, 1943.

OFFICE OF THE DOORKEEPER

STATEMENT OF RALPH R. ROBERTS, DOORKEEPER

Mr. O'NEAL. We now take up the estimate for the office of the Doorkeeper. I might say at the beginning that all of us are somewhat sad of the failure of Mr. Sinnot to appear before the committee. He was very much beloved by those who knew him. We admired him, and we miss him. At the same time, we are pleased that Mr. Roberts can worthily take his place, and we all have a great deal of confidence that the job will be done splendidly under his supervision; and I am sure the committee joins me in that statement.

SALARIES

The appropriation for 1943 for this item is \$269,508, and under the revised estimate for 1944 the amount requested is \$269,366. Have you any general statement, Mr. Roberts, that you would like to make as to the work of your department?

Mr. ROBERTS. I might say, Mr. Chairman, that everything is functioning in a satisfactory manner.

Mr. O'NEAL. You have not had any military deferments, have you?

Mr. ROBERTS. None whatsoever. The boys are all leaving.

Mr. O'NEAL. Have you had much of a turn-over?

Mr. ROBERTS. Yes; I have had one deferment request.

Mr. O'NEAL. For what length of time?

Mr. ROBERTS. Just a few months.

EXPENDITURE FROM 1943 APPROPRIATION FOR FOLDING SPEECHES AND DOCUMENTS

Mr. O'NEAL. Due to the amount of turn-over you have, have you the figure of how much, up to the present date, you have expended out of your 1943 appropriation?

Mr. ROBERTS. Nothing, only the folding room. Of the \$30,000 appropriated for the speech folding fund there has been expended \$16,244.65.

Mr. O'NEAL. Have you any idea how much you will return to the Treasury out of your 1943 appropriation? You usually turn over quite an item, due to lapses.

Mr. ROBERTS. There will be some, but the amount will be small.

Mr. O'NEAL. You divide your pay roll on a monthly basis, do you?

Mr. ROBERTS. That is right.

Mr. O'NEAL. I was going to ask you how much you have used up to the present time of the appropriation for 1943; but Mr. Shanks has already furnished that information.

This is entirely a salary item, as I understand.

Mr. ROBERTS. That is right.

INCREASE IN NUMBER OF PAGES

I wish to recommend for the consideration of the committee that the number of pages be increased. Owing to the large turn-over, caused by the boys entering the armed services and the increased amount of business of the House, the present number of pages is inadequate to take care of the work efficiently.

ASSISTANTS IN HOUSE PRESS GALLERY

Mr. JOHNSON of Indiana. Mr. Roberts, how many assistants do you have, as superintendents of the House Press Gallery?

Mr. ROBERTS. One superintendent and two assistants.

Mr. JOHNSON of Indiana. What do they have to do? What are their duties?

Mr. ROBERTS. They take all messages and phone calls and communicate those to the different newspapermen and give information over the phone as to what is going on on the floor of the House to the offices of different newspapermen.

Mr. JOHNSON of Indiana. That is a service that is set up for the convenience and benefit of the press?

Mr. ROBERTS. Yes, sir. It is an organization controlled by a committee set up by the reporters themselves.

Mr. JOHNSON of Indiana. Does the press contribute anything to the expense of operating the press gallery?

Mr. ROBERTS. Nothing that I know of.

Mr. JOHNSON of Indiana. I notice an item here for the House radio press gallery. Where is that located?

Mr. ROBERTS. That is on the gallery floor, on the east side of the Capitol, between the two elevators.

Mr. JOHNSON of Indiana. What is the activity there?

Mr. ROBERTS. That is a service for the radiomen, similar to the newspaper service.

Mr. JOHNSON of Indiana. They do not actually do any radio work there, do they?

Mr. ROBERTS. No; but they go in the gallery and watch the proceedings and take notes and communicate with the radiomen and deliver bulletins and messages for the radiomen when they appear in the radio room.

Mr. O'NEAL. The decrease here of \$360 is due to the fact that two chief pages were changed, and the pages who held those positions drew \$2,160 as long as the positions were held by the present incumbents, and when those two pages left, the salary reverted to \$1,980, and \$180 was saved on each salary?

Mr. ROBERTS. That is right.

Mr. O'NEAL. That accounts for the difference?

Mr. ROBERTS. That is right.

LABORERS TO RELIEVE BARBERS FROM JANITOR SERVICE

There is a situation that exists about the barbers that I would like to bring to the attention of the committee. The barbers are carried on the rolls as cloakroom men, and are required to perform certain janitor service. The three barbers in the old H. O. B. are required to clean the gallery floor of the Capitol. The barbers in the Capitol are required to take care of 15 rooms in the Capitol. As a matter of fact they hire outside help to do all the work with the result that very little cleaning is done. My suggestion is that the barbers be relieved of their janitor duties, and that a few extra laborers be given to the Chief Janitor of the Capitol, so that this service may be taken care of properly.

Mr. O'NEAL. Thank you very much, Mr. Roberts.

MONDAY, MARCH 15, 1943.

POST OFFICE, HOUSE OF REPRESENTATIVES

STATEMENT OF FINIS E. SCOTT, POSTMASTER

SALARIES

Mr. O'NEAL. We now take up the salaries for the post office of the House of Representatives. The appropriation for 1943, Mr. Scott, is \$84,680, and you are asking for the same amount for 1944.

Mr. SCOTT. Yes, sir.

NO DEFERMENTS

Mr. O'NEAL. You are not asking for any deferments from military service in your department, are you?

Mr. SCOTT. No, sir.

TURN-OVER IN PERSONNEL

Mr. O'NEAL. Have you had much of a turn-over?

Mr. SCOTT. Yes, sir.

Mr. O'NEAL. Does that mean that considerable money will be saved through lapses from your pay roll?

Mr. SCOTT. There will be some, but we are filling up. So the money saved from lapses will not be considerable.

Mr. O'NEAL. When your men leave you are able to get others very quickly?

Mr. SCOTT. Reasonably so. We are filling up with reasonable success.

INCREASE IN WORK OF OFFICE

Mr. O'NEAL. Have you any statement that you would like to make, Mr. Scott? If so, we shall be very glad to hear it.

Mr. SCOTT. Not particularly. The estimate for 1944, as you have stated, is the same as the appropriation for the current fiscal year. In fact, there has been no substantial change in the total amount appropriated for running the post office during the last 10 years. Nearly

all the amount is for salaries of employees, and their number is fixed by statute, together with their respective salaries.

The motor-vehicle equipment is the same, respecting number and types of vehicles, as when I took charge of the post office in December 1931.

There has been a fairly steady trend toward an increase in mail handled by the office. I am not referring, of course, to spasmodic waves of mail.

Our stamp sales were almost \$93,000 for the calendar year 1942, as compared with about \$69,000 in 1941, and approximately \$42,000 5 years ago. There has been almost a proportionate increase in the number of money orders sold and cashed.

I am giving these figures because the committee has on occasion asked for this information.

I am not asking for any increase in the appropriation for the current year.

Mr. O'NEAL. Has the volume of your business increased in the past year?

Mr. SCOTT. Yes, sir; it has.

MOTOR VEHICLES

Mr. O'NEAL. Referring to the item for "Motor vehicles," when will it be necessary for you to make a purchase? The item for 1944 for motor vehicles is \$2,200, the same as for 1943. Is that for repair chiefly or for the purchase of a new car?

Mr. SCOTT. This year I am going to try to get a new truck, and I hope I shall succeed in doing so.

Mr. O'NEAL. You think you can do it within this amount of money?

Mr. SCOTT. Yes, sir.

Mr. O'NEAL. All right; thank you very much, Mr. Scott.

MONDAY, MARCH 15, 1943.

OFFICE OF THE ATTENDING PHYSICIAN

STATEMENT OF DR. GEORGE W. CALVER, ATTENDING PHYSICIAN, HOUSE OF REPRESENTATIVES

Mr. O'NEAL. We are glad to have with us this afternoon Dr. Calver, the attending physician of the House.

Doctor, for your office you had an appropriation for 1943 of \$8,245, and the estimate for 1944 is \$6,985, or a reduction of \$1,260.

We will be glad to have you make such statement as you may desire in reference to your estimate.

Dr. CALVER. Mr. Chairman, there is no general change in the conditions at the Capitol this year over last year. The effect of the continuous work in the offices and committees is quite noticeable on the health of the Members and the type of case that is coming to my office. While the total patient visits in my office this year were practically the same as for last year, the total visits to all of the first-aid rooms and my own office approximates 3,000 more patient visits than last year.

Last year, to provide for certain first-aid equipment for use in the various buildings, there was an additional item carried of \$2,385, which will be unnecessary to repeat this year as most of the material is still on hand and in good condition, and will not deteriorate. It will be a backlog which, after the present emergency is over, can be used in the dressing stations in the various buildings.

There has been a supplemental estimate of \$1,125 submitted above the normal amount, which will be necessary because of the increased cost of drugs. It has been found much more expensive to buy synthetic substitutes than the natural drugs, but they are apparently just as effective in their clinical use as the natural products and have not proven a handicap to the office.

It would be very unfair to not make a statement commending the first-aid organization which has been set up in the Capitol and the various office buildings. There has been a building captain chosen from among the employees, and one or two first-aid teams organized and trained on each floor of each building. The personnel of the first-aid organization have given many hours of their time to instruction in the primary first-aid courses and then in the advanced first-aid courses. In addition to this, each first-aid team spent an hour each week in drills so that they would maintain their efficiency in the use of first-aid equipment. This cooperative spirit has enabled us to establish a first-aid organization which has been highly commended by the members of the American Red Cross, who have to concern themselves with this work.

There has also been organized a transportation team within the buildings so that those who might be injured and treated can be brought to the central first-aid station as quickly as possible and with the minimum chance for further injury.

Each building has been equipped with a compact first-aid chest, which contains the necessary supplies for an emergency six-bed hospital and can be operated independently of the equipment in the first-aid rooms should they be destroyed.

Last, but not least, the Members of Congress who are physicians have given their time and advice from their own experience in the equipping and operation of our first-aid stations. At each drill, they have reported to the basic first-aid stations and have been ready to give such assistance as might have been necessary. The excellent spirit of cooperation which has been exhibited among the entire personnel on the hill is certainly to be commended. Everyone has tried to help as they have been best fitted.

Incidentally, the most interesting teams I have had to deal with have been the teams in the powerhouse, where we had a team on each watch. They have learned how to do first aid, and learned how to do anything else necessary. We were hoping to have competitive first-aid drills and to bring them up to the Capitol for exhibition, because I think it would have been a very good thing for the rest of the teams.

NURSE FOR REST ROOM

There is one other matter I would like to bring to the attention of the committee.

It has always been the policy of my office to ask for permanent personnel and equipment through the House Committee on Appropriations. As of January 5, 1938, in Senate Resolution 252, there was allowed a rest-room attendant to be attached to my office and used to meet an emergency then existing around the Capitol and in the office buildings.

There was opened last year a first-aid restroom for the lady Members of Congress as well as such women visitors who might be taken ill, and a nurse has been placed in charge.

Mr. O'NEAL. Where is she located?

Dr. CALVER. She is in the room assigned by the Speaker for the use of lady Members of Congress on our corridor.

I have spoken to Senator Tydings about changing the status of the nurse and asked that it be done. He has approved it.

The main purpose is to put the nurse on the Architect's pay roll in the same status as all of the other nurses here in the Capitol and to give her the same civil-service rating, which is SP-5, with a rate of pay of \$1,800 per year. Mr. Lynn, I believe, has included this amount in his supplemental estimate.

Mr. O'NEAL. What pay roll is she on now?

Dr. CALVER. She is on the Senate pay roll as a Senate employee, and she is not subject to any longevity increase or anything else. If she is transferred to Mr. Lynn's pay roll, with a civil-service rating, she then is entitled to the longevity increase and retirement benefits.

Mr. JOHNSON. What salary is she getting?

Dr. CALVER. She is getting \$1,500.

Mr. JOHNSON. How much would this transfer give her?

Dr. CALVER. \$1,800.

Mr. JOHNSON. What classification would she be under with the \$1,500 salary?

Dr. CALVER. She would be under the classification of laborer. This is the lowest professional classification. She is a graduate trained nurse, and all other nurses have been started at this rate of pay.

Mr. O'NEAL. How long ago did she graduate?

Dr. CALVER. She has been at the Capitol off and on, substituting, for 6 or 7 years. She is a graduate nurse of at least 10 years' standing.

Mr. O'NEAL. Has she been here less time than those now on the pay roll?

Dr. CALVER. Yes; and this will give her materially less pay than the others are receiving, but is the same rate at which they started.

Mr. ANDERSEN. Doctor, do you have enough to keep her busy in connection with the work in the rest room?

Dr. CALVER. Yes; I need a woman attendant over there all the time.

Mr. ANDERSEN. You have to have a woman there anyway.

Dr. CALVER. Yes, sir. Suppose a woman faints and she is brought to the office. If we have nobody but men in the office it is a bit embarrassing. We have to go out and call in a Member's secretary to help in a case of that kind, and we should have a woman available all the time.

Mr. O'NEAL. Thank you for your statement, Doctor.

WEDNESDAY, MARCH 17, 1943.

COMMITTEE ON REVISION OF THE LAWS

STATEMENT OF HON. EUGENE J. KEOGH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, COMMITTEE ON REVISION OF THE LAWS, HOUSE OF REPRESENTATIVES

EXPENSES OF REVISING AND CODIFICATION OF LAWS

Mr. O'NEAL. Gentlemen, we have with us this morning Congressman Keogh, chairman of the Committee on Revision of the Laws. I think all of us know about the splendid work he has done in the past and his deep interest in it at the present time.

We will be glad to hear any statement you will be glad to make to the committee, Mr. Keogh.

Mr. KEOGH. I thank you very much, Mr. Chairman.

The Committee on Revision of the Laws has authorized me to appear before you in support of its request for an appropriation in the amount of \$110,000 for the purpose of preparing a revision and codification of all general and permanent laws relating to the judiciary, crimes, and criminal procedure. The bulk of the present law on these subjects is contained in the United States Code, title 18 (Criminal Code and Criminal Procedure), and title 28 (Judicial Code and Judiciary). There are also related laws in the other 48 titles of the United States Code. However, as you know, the provisions of the various titles of the Code are not absolute law but merely prima facie evidence of the law.

If I may be permitted I should like to give you a brief outline of the historical background of the laws and the imperative need for a revision and codification at this time. It should be borne in mind that the Committee on Revision of the Laws, which is requesting this appropriation, was created in 1868 for the purpose of codifying and revising the laws of the United States. This Committee has been constantly engaged since 1925 in preparing the several editions of and supplements to the United States Code, which, as I have pointed out, is merely prima facie evidence of the law.

To find the positive law one must have recourse to the Revised Statutes of 1874 and each of the 39 volumes of the Statutes at Large which have been enacted since the Revised Statutes. Manifestly, such a formidable task could not be undertaken each time one wanted to know the status of the law on any subject, and the United States Code, even though only prima facie evidence of the law, is most useful and has been received by the bench and bar and those interested in the laws of the United States as a tremendous step toward the adoption of a real body of the general and permanent laws of the United States.

The Revised Statutes enacted in 1874 constituted a revision and consolidation of the statutes in force on December 1, 1873, and contained titles relating to the judiciary and crimes and repealed all prior laws incorporated therein. Here was enacted for the first

time a real code of the general and permanent laws, and if the structure then created had been preserved and used as the framework for all future legislation, I probably should not be before you today in support of the request of the Committee on Revision of the Laws. However, the enactment of the Revised Statutes was the result of a temporary committee especially appointed to prepare such revision and consolidation and there was no provision made for a permanent preservation of the code structure then created.

Similarly in the early part of this century when the need for another revision and codification became apparent because new laws had been enacted without specifically amending the appropriate titles of the Revised Statutes, new commissioners were appointed and their work resulted in the enactment of the Criminal Code in 1909 and the Judicial Code in 1911, both of which contained all the general and permanent law then in force on their respective subjects. Again the fine work of a temporary commission has been practically nullified because the structure of law then created was not maintained. As a result, we have today no body of general and permanent law relating to the judiciary or crimes and criminal procedure. Such a situation in a great country like ours is almost unbelievable. I believe that a majority of the several States presently have a positive code of their own laws and we, in Washington, should not lose any time in procuring a code of Federal laws.

I have personally introduced four bills each intended to enact into positive law, without material change, a separate title of the present United States Code and I expect in the near future to introduce several more such bills. These bills are being prepared without the benefit of any appropriation therefor, and despite the fact that they make no material change in the law as it appears in the United States Code, have required several hundred hours of work. The titles relating to the judiciary and crimes and criminal procedure as they exist today in the United States Code—although they are prima facie evidence of the general and permanent laws on those subjects in force today—cannot be enacted into positive law without material revision. Therefore, the Committee on Revision of the Laws has directed me to appear before you in support of its request for an appropriation for such an undertaking.

It is my understanding that the Revised Statutes were prepared—when there were only 17 volumes of the Statutes at Large—at a cost of about \$130,000. I also understand that the cost of the preparation of the Criminal Code and the Judicial Code—when there were only 35 or 36 volumes of the Statutes at Large—was over \$204,000.

The Committee on Revision of the Laws, which is a standing committee of the House of Representatives, now requests an appropriation of \$110,000 to undertake the revision of these laws. Because this committee is a standing committee and has the experience gained since 1925 in the preparation of the Codes of laws of the United States and of the District of Columbia, we believe that we can do the work efficiently for such an amount.

If I may be permitted I should like to place in the record at this point a letter from the Edward Thompson Co., law book publishers, which together with the West Publishing Co., have assisted the Committee on Revision of the Laws in the preparation of each edition

of and each supplement to the United States Code. That company estimates that if it were engaged to assist the Committee on Revision of the Laws in this undertaking, it could do so at a cost of \$85,000. Of course, the committee would have to supervise all the work and would have to have a staff here in Washington for the official work with the various Government departments and agencies. The letter is as follows:

EDWARD THOMPSON CO.,
Brooklyn, N. Y., March 4, 1943.

Hon. EUGENE J. KEOGH,
*Revision of the Laws Committee,
House Office Building, Washington, D. C.*

DEAR MR. KEOGH: Thank you for your letter of February 23 advising that the Committee on Revision of the Laws contemplates a revision and codification of all general and permanent laws relating to the judiciary, crimes, and criminal procedure. It is a pleasure to comply with your request for a suggestion as to the scope of this work and an estimate of its over-all costs.

The scope of the important task which your committee is considering should include the following titles of the United States Code: Title 18, Criminal Code and Criminal Procedure; Title 28, Judicial Code and Judiciary; as well as related provisions to the other 48 titles of the Code.

These titles should be completely overhauled and, in the light of modern statutory codification, all general and permanent provisions relating to these subjects should be woven into a permanent framework sufficiently elastic to accommodate indefinitely all future legislation. All inconsistencies would have to be reconciled and clear statements of the law prepared along the following lines for submission to Congress.

Briefly, we suggest the following operations:

1. Preparation of codification bills, which, like the Internal Revenue Code and the Nationality Code, would contain all of the general and permanent laws in their respective categories. This would mean:

(a) Elimination of all obsolete, executed, repealed, etc., provisions.

(b) Revision of provisions in order to fit them within the new framework.

(c) Consultation with technical experts.

(d) An exhaustive study and reconciliation of conflicting or ambiguous provisions of the laws and restatements authoritatively made in each instance.

2. Preparation of reports for such bills, which would explain the scope and purpose of each bill. These would be quite voluminous because in complying with the Ramseyer rule, it would be necessary to set forth in juxtaposition all provisions to be repealed and those to become new laws.

The task of revising and codifying the provisions of these titles would entail vast research as well as consultation with technical experts in the Government and outstanding authorities of the bench and bar.

You will undoubtedly recall that a similar revision was undertaken about 35 years ago. It is our understanding that that work, resulting in the enactment by Congress of the judicial and criminal codes, cost over \$200,000.

It is our opinion that this work could be done by expert staffs employing modern methods of statutory revision at an over-all cost of about \$85,000.

The complete responsibility for such revision must be taken by the Revision of the Laws Committee in coordinating the work of the necessary legal editors, consultants, and technical experts. Should the editorial services of this company be engaged for such a timely and vital work, they would, in accordance with our policy of wholehearted cooperation with your committee, be made available at the lowest possible figure consistent with the high standard required for such work.

As statute editors and publishers for many years, we heartily endorse from experience the wise and economical program of the Revision of the Laws Committee, in gradually perfecting the United States Code, through periodical revisions and restatements of its various titles.

Sincerely yours,

EDWARD THOMPSON CO.,
By JAMES R. SPILLANE,
Vice President.

Since the enactment of the Judicial Code in 1911 there has been adopted a body of Rules of Civil Procedure which have had considerable effect on the laws and should be integrated in a revision of the law. This alone is a considerable task.

We are all familiar with the vast improvement in internal-revenue laws made by the enactment of the Internal Revenue Code in 1939. The need for a revision of the criminal and judicial laws has long been recognized. The House of Delegates of the American Bar Association at its midwinter meeting in 1940 went on record as approving a revision. Again in 1941 the American Bar Association Committee on Jurisprudence and Law Reform reported that " * * * the revision of the Judicial Code * * * should be pushed to as speedy a conclusion as practicable." I understand that a number of other bar associations have also gone on record as advocating a revision of these laws.

There are sections relating to these subjects in at least 35 of the other titles of the United States Code. It will be necessary to examine all of the 50 titles of the Code as well as the statutes at large for material which should be included in a revision.

There are many provisions of law relating to these subjects which have not been specifically repealed but have become either superseded or otherwise obsolete. These must be studied carefully and repealed where necessary. All this is the outcome of failure to use the Code structures as the framework of future legislation.

For example, the Judicial Code, section 1, as enacted in 1911, provided for the number of district judges in each district. That section has been affected by more than 50 subsequent enactments, the majority of which made absolutely no reference to it. In preparing the 1940 edition of the United States Code, the Committee on Revision of the Laws consolidated about 30 sections of the 1934 edition into section 1 of title 28, in order to present the status of the law on that subject in one place. A similar situation exists in connection with section 118 of the Judicial Code (28 U. S. C. 213) relating to circuit judges.

Several years ago the Honorable Walter Chandler stated, in support of his resolution for the appointment of a commission to revise the Judicial Code:

Questions will be raised as to the probable cost of doing this work and as to the preferable manner of its accomplishment. Personally, I hope that the Committee on Revision of the Laws will have a part in the work if the resolution is adopted. That committee has had much experience, is equipped to participate very beneficially, and has jurisdictional connection with work of this character. Very valuable cooperation will be furnished by the local, State, and national bar associations, and the facilities of the new administrative office, as well as the Department of Justice and the Legislative Reference Service of the Library of Congress, can be utilized advantageously and economically.

While public hearings will be necessary, and should be held, I cannot believe that the cost will be a material item. Certainly, benefits of a most substantial character, far outweighing the expense and extending over a long period of years, are bound to follow the completion of this work, which will represent a landmark and another milestone in the evolution of our Federal judicial system.

If this work is done at this time by the Committee on Revision of the Laws instead of by a temporary commission, and arrangements are made to preserve the code structure, as is being done in the case of the Internal Revenue Code, we should have a body of positive laws on

these subjects on which the public may rely without recourse to the Statutes at Large.

If we can do that, thereafter we may have no fear that any future acts or amendatory legislation will in any way conflict with existing law, because we will have our committee equipped to retain at least supervisory control, not over the substance of any future law—we have no concern about that—but over the form of future legislation. There can be no conflict between our committee and any other standing committee of the House, because if we undertake this revision we will do it in conjunction with and in collaboration with those committees and with the bench and the bar of the country, all of whom are interested in it. We will present to the House a bill which will be referred to the appropriate standing committee, and we will have to justify our work before that committee. We are not attempting to invade the jurisdiction of any standing committee. On the contrary, this method will give us a logical, orderly manner in which to accomplish a very, very necessary improvement in our legislative machinery.

I should like to dwell at length upon the need for this supervisory control over the form of legislation.

If we have this permanent framework of laws we can build up new stories and new extensions, fitting them into the existing law.

I hope this committee, which has always given very gracious and sympathetic treatment to all the problems of the Committee on Revision of the Laws, will continue to do that in this connection.

MR. O'NEAL. We thank you very much for that statement, Mr. Keogh.

As to your estimate of \$110,000, that will be the total amount needed?

MR. KEOGH. That is the over-all amount. Under the proposed method of pursuing the work, we should undertake to engage the services of some capable publishing company, with its large editorial staff and experience gained in this type of work. They will do the bulk of the study and research.

MR. O'NEAL. What length of time do you contemplate it would take to do that work?

MR. KEOGH. I would like to see the job done in a year, although it might extend into the second year.

I would like to give you some further idea of the problems with which we are faced.

There have been a number of decisions in the various courts that have had the effect of writing into our legislation a meaning different, perhaps, from the cold print of the statute. We should integrate all of those, and we should bring up our judicial system, as such, to the twentieth century form, rather than struggle along in the form that it is now following.

We should modernize our judicial system and the laws governing it, to the point where it will be a model not only for all States of the Union, but for all countries in the world.

MR. O'NEAL. Assuming this has been prepared, will there be any distribution by sale of this publication which might, in turn, reimburse the Government for some of the cost?

MR. KEOGH. Assuming that we have completed the revision of titles 18 and 28, the bills that would result would constitute those two titles

and would be incorporated into the next supplement to the United States Code, taking the place of the present titles 18 and 28, and the sale of those supplements would be greatly increased, without doubt, because everybody who would need to have recourse to the laws of the judiciary and the criminal code and crimes would have to have that supplement.

I have no way of estimating what the sales would be.

Mr. O'NEAL. But it would amount to an appreciable sum?

Mr. KEOGH. It would be large; as a matter of fact, it might possibly amount to the total sales of all the United States Codes up to date and all the supplements. It could be a total equal to the sum of those figures.

Mr. O'NEAL. Have you any idea how much of a distribution in number might be expected from the publication of this volume? Have you any idea how many were printed before?

Mr. KEOGH. Our committee has never had any jurisdiction over that. That falls to the Joint Committee on Printing.

I think when the 1940 edition of the Code was compared and printed, the Printing Office printed over 10,000 copies of that code. That is a four volume set which sells for \$16.50.

The actual work of preparing that edition cost us not less than \$50,000.

Mr. O'NEAL. Would there be any advantage or disadvantage in waiting a couple of years, say until the war is over, taking into consideration the mass of legislation being enacted now pertaining to the war, in connection with temporary powers, and so forth? Would there be any advantage in waiting for that publication until the war emergency is past?

Mr. KEOGH. No; there would be no advantage in doing that because the United States Code, as such, under the law, contains only those laws general in nature and permanent in character. So the bulk of this temporary legislation would have no proper place in the Code.

Actually, our committee has indulged in a degree of discretion with respect to incorporation in the appendix to title 50 much of this temporary legislation which is of national importance at the moment, but which, after the war would not be. We have done that in order to increase the usefulness of the Code.

With respect to these matters affecting the judiciary, the Judicial Code and crimes and the Criminal Code, as a matter of fact, this is definitely the time to do it, so those titles will be in final and usable form when we resume our normal life.

Mr. O'NEAL. What sort of a set-up have you to properly direct such work as this?

Mr. KEOGH. The committee acts in a supervisory capacity.

Mr. O'NEAL. By contract you get a competent publishing and research house?

Mr. KEOGH. Exactly.

Mr. O'NEAL. You check with them, and the one you have in mind has had long experience in this kind of work?

Mr. KEOGH. The one which has handled the code. They prepared the first and subsequent editions.

Mr. O'NEAL. And they did a very satisfactory job on that?

Mr. KEOGH. Very.

Mr. JOHNSON. The \$110,000 covers the cost of preparation and has nothing to do with the cost of printing and distribution?

Mr. KEOGH. No.

Mr. JOHNSON. You do not contemplate that you could control the number of volumes printed?

Mr. KEOGH. We cannot control them, but we would exercise some influence over them, as we did in connection with the 1940 edition of the Code.

Mr. JOHNSON. I believe you said there were 10,000 copies printed?

Mr. KEOGH. Approximately.

Mr. JOHNSON. I believe you said one publishing company was willing to contribute up to \$85,000 toward the cost?

Mr. KEOGH. No. Out of the item of \$110,000, \$85,000 would go to this company for the cost of its work. The remainder would be available to the committee for the employment of the necessary clerical and expert assistance, to coordinate the efforts of the committee and the publishing company. We should not be in a position of being completely obligated to the editorial company, but since we have final and ultimate responsibility we should have a degree of control over that work of the company.

Mr. JOHNSON. When the work is completed would the company have access to it, where they could publish their own edition?

Mr. KEOGH. The Official United States Code is not annotated. We do not undertake to annotate any of the current court decisions. Nor do we attempt to integrate any of the rules and regulations promulgated under the authority of our statutes.

This company that has done the work gets out an annotated edition of the code. There is one other annotated edition of the code published. So they would have an opportunity to apply the work they have done here on their own edition of the code.

Mr. JOHNSON. I am wondering if in the matter of salespeople buying those volumes would not prefer to have the annotated edition rather than this set, and if, in the ultimate end, the Government is not spending this \$110,000 to make a study for a law-book company to make an annotated set, after the Government is prepared to sell them, and the company probably make a lot of money.

I am wondering whether the law-book company considers there is sufficient field to warrant them in making the study and preparing the code.

Mr. KEOGH. They have no authority to do it, but I dare say they have undoubtedly collected a lot of the articles and have done the other work necessarily indulged in in doing this job. But if they did that they would have to come to Congress. The primary responsibility is ours to see that the laws that are passed are in such form as to be understood by the public.

Mr. JOHNSON. There is nothing to prevent them from getting out such a work.

Mr. KEOGH. They just lack the authority. They are bound in the preparation of their annotated editions by the classifications that our committee makes of public acts enacted during any session of Congress.

Mr. JOHNSON. How do the law-book publishing companies operate in getting out the statutes of the various States?

Mr. KEOGH. They do that, I assume, in the same manner that we do, by contract with them.

Mr. JOHNSON. Do they have special authority from the States to prepare those statutes?

Mr. KEOGH. Most of the States have permanent law-revision commissions.

Mr. O'NEAL. Why could not one of the law-book publishing companies take all of our acts and do the work that you are asking to be done and let them make up the cost of that out of the sales of the annotated code?

Mr. KEOGH. I have made a number of inquiries on this subject, and you will find that wherever any publishing company goes into a State to codify State laws they are paid for that work by the State. The West Publishing Co. codifies the laws of the State of New York and brings that in in the form of the McKinney Statutes. They and other companies do similar work in other States.

The Bobbs-Merrill Co. does that work principally for some of the Western States. They are all paid by those States for that work. They then superimpose their annotations on the official code, but that is an entirely different matter.

I would like to come back to the question of whether it is not preferable to have the annotated edition. Of course it is, but it costs a great deal more. The Official Code sells for \$16.50, while an annotated edition sells for about \$260, with an annual service charge of \$15, plus the cost of recomplied volumes. Our annual supplements cost about \$1 or \$2, depending on the size.

The records of sales of the Official Code in the Government Printing Office might give an answer to your question.

Mr. JOHNSON. As I recall, the Bobbs-Merrill Co. gets out the Revised Statutes of Indiana. I do not know whether the Indiana Legislature have appropriated any money paying them in any way for getting that out. I think in about 10 years they get out a new revision of the statutes, and all lawyers have to buy a set of those statutes. Of course, they cost a considerable amount. They are not so large; I think there are probably four volumes, and I believe they cost about \$30 or \$40.

Mr. KEOGH. I do not know specifically about the situation in Indiana, but I think probably you will find that that company is paid by the law revision commission, or some similar body in the State, to do that work.

Mr. JOHNSON. It has never been called to my attention that they do, and I question very much whether they do.

Mr. O'NEAL. You think you need this full amount for the fiscal year 1944? Could you not start it with a less amount, or do you think you will require the full amount in 1944?

Mr. KEOGH. I think we should know in advance that we are going to be able to do the job completely, since \$85,000 of the \$110,000 is the estimated cost of the contractor.

Mr. O'NEAL. Is there any time limit on the contract?

Mr. KEOGH. We have not even discussed the terms of the contract. The committee would check on it if we had the means to go ahead with it.

I would like to refer for a moment to the question of whether this is the time to do it.

This is the time to do it. I think it is a tragedy that this great legislative body of ours has suffered for so long a time with an accumulation of the type of legislation we have had. I am not now referring to substance, but rather to form.

You can pick up almost any law we enact and read a provision in it for the repeal of all laws inconsistent with it, "that all laws inconsistent herewith are hereby repealed." That imposes upon the bar of the country and the courts of the country the duty to determine what laws we intended to repeal by that specific act. We, in effect, force upon the courts the duty to legislate for us.

MR. JOHNSON. Do you not believe you would run into a lot of discussion and difficulty if your committee would attempt to determine what laws Congress intended to repeal?

MR. KEOGH. Exactly. We do that. That is why the United States Code is replete with redundant, obsolete, superseding statutes, because we lack authority to determine which laws have been repealed by inference. It is the job of the standing committees to do that.

If we had a permanent law revision commission which would coordinate the work of our legislative drafting counsel and the work of our committee we would be able to supervise and preserve the form of the laws from the time they were in the mind of one of the members to the time they were enacted into permanent law.

MR. JOHNSON. You do not think you would have any trouble to get sufficient manpower?

MR. KEOGH. No; I do not think so.

MR. JOHNSON. Or to get paper during this great shortage of paper?

MR. KEOGH. No; because we are getting out Supplement No. 2 to the 1940 code. The Government Printing Office is about ready to bind that. There will be over 1,000 pages in the supplement, which means there have been 1,000 pages of new legislation, together with the tables and indexes, since the 1940 edition of the code.

MR. ANDERSEN. Assuming that this work is very necessary, and very justified, as I think it is, judging by your explanation; on the other hand, taking into consideration the fact that we are at war, the fact that today it is very difficult to even secure manpower on the farms to produce the food we need, and the fact that we have gone along without this for as many years as we have, do you think you can ascribe sufficient priorities to this particular request to induce us to believe that we should appropriate for this item at this time, rather than letting it go into this reservoir of things to be done immediately following the war?

MR. KEOGH. If I did not think so I would not be here this morning.

As a matter of fact, the state of our laws, today with respect to the question of form—and I address myself only to form and not to substance purposely to avoid any discussion of the substance—is due to inadequate thinking and inadequate preparation of bills drafted, introduced, and reported.

Those bills are merely statements of objectives rather than statements of the means of obtaining the objectives.

Mr. ANDERSEN. I do not believe you have to convince me as to the necessity of the matter under discussion. But what you have to convince me and probably a lot of other people in Congress of is whether or not we should do it at this particular time, in view of the existing circumstances.

Mr. KEOGH. The best answer to that is, if you think this is not the time to do it, then stop legislating on every subject except the war. Let us stop working on everything except the war.

So long as the legislative body is in session, so long as we are legislating, so long as we owe a duty to the public to let the people know what the laws are that we have enacted, we owe a duty to ourselves and to our bar to make sure that those laws are in understandable form.

Mr. O'NEAL. Let me ask you one more question: Do you not think if you should take this up with the Thompson Co. or some other publishing company, you could make a more advantageous arrangement about the cost?

Mr. KEOGH. I come from a section of the country where, as we say, we love to dicker. I have gotten an estimate from them, but I imagine we can sharpen our pencils and sit down again. That is a matter of negotiation.

I will say this with respect to the West Publishing Co. and Edward Thompson Co., that they have been most cooperative in connection with the work of our committee. They have enabled us in the last 4 or 5 years to make considerable progress.

(Discussion off the record.)

Mr. O'NEAL. We thank you for your statement, Mr. Keogh.

Mr. KEOGH. I am grateful to the committee for giving me this opportunity to present the matter, and I hope you will give it favorable consideration.

WEDNESDAY, MARCH 17, 1943.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

STATEMENT OF COLIN F. STAM, CHIEF OF STAFF, ACCOMPANIED BY
GASTON D. CHESTEEN, ASSISTANT CHIEF OF STAFF, AND BRYANT
C. BROWN, SECRETARY AND ATTORNEY

SALARIES AND EXPENSES

Mr. O'NEAL. We have before us this morning the estimate for the Joint Committee on Internal Revenue Taxation, and we have with us representing that committee Mr. Stam and two of his associates.

The amount of the appropriation for the share of the House for 1943 was \$30,000, and the estimate for 1944 is the same amount.

FUNCTIONS AND DUTIES

We will be glad to have a statement from you about that, Mr. Stam; but first, you might give us a little history of the joint committee.

Mr. STAM. Mr. Chairman, we would like first to express our appreciation of your courtesy in changing the time for our appearance. The

Joint Committee on Internal Revenue Taxation was established under the Revenue Act of 1926. It consists of 10 members, 5 of whom are Senators and the other 5 Members of the House. The Members of the House are selected from the Committee on Ways and Means and the Senators from the Committee on Finance of the Senate. The chairmanship of the Joint Committee on Internal Revenue Taxation rotates. One year it is the chairman of the Finance Committee and the other year, the chairman of the Committee on Ways and Means.

The functions of the joint committee are to investigate the operations and effects of the Federal system of internal-revenue taxes and to examine credits and refunds of income and estate taxes in excess of \$75,000.

During enactment of revenue bills, the staff of the joint committee works directly with the Ways and Means Committee and the Finance Committee in the framing of tax legislation. Since the war the work has increased tremendously. The staff at the present time consists of 16 persons, including 1 secretary, 3 stenographers, and 1 part-time messenger.

As already stated, in addition to the work on legislation, it is the duty of the staff to review refunds in excess of \$75,000. Our work on refunds is merely advisory. We have no power to approve or disapprove a refund. However, in case the staff disagrees with the conclusion of the executive department, a conference is arranged between the staff and the executive department for the purpose of discussing the case. If, as a result of the conference, the staff does not agree with the position of the executive department, the case is referred to the Joint Committee on Internal Revenue Taxation sitting in executive session for decision. The executive department, as a matter of practice, abides by the decision of the Joint Committee on Internal Revenue Taxation when a case is referred to the committee for decision.

In other words, in a case where we cannot get together we take it before the committee and they decide it. If they decide that a refund should not be made, the practice has always been, as far as the executive department is concerned, to follow the recommendation of the joint committee.

VOLUME OF WORK

MR. O'NEAL. What volume of work of that character is done by the joint committee?

MR. STAM. Mr. Chesteen is in charge of that particular branch of the work, and I would like to have him answer that question.

MR. O'NEAL. In how many cases would there be refunds in a year, and what have been the amounts?

MR. CHESTEEN. The refunds in the past 7 months of this fiscal year were made to 46 taxpayers, with total overassessments, refunds, and credits of \$5,708,791.99. For the fiscal year 1941 there were 57 cases with total refunds amounting to \$15,002,782.91.

For the fiscal year ending last June 30, 1942, there were 55 cases involving total overassessments of \$11,136,356.83.

Probably you can get a better picture by taking the relationship of those figures to the total overassessment on all internal revenue

taxes. Those figures I have given you for 1940 amount to 12.4 percent of all internal revenue cash refunds.

The cash refunds coming before the joint committee in the year 1941, with interest, were 18 percent of the cash refunds of internal revenue taxes, and for the fiscal year 1942 the refunds coming before the joint committee amounted to 11.5 percent of the total cash refunds, with interest, to all taxpayers.

When you compare the actual work of the joint committee with the same type of work—we get income refunds, estate refunds and gift refunds—for 1940 the cash refunds before the joint committee were 16.3 percent of the total cash refunds to all taxpayers, for income, estate, and gift taxes. It was 24 percent for the fiscal year 1940, or almost one-fourth.

For the fiscal year 1942, making the same comparison, it was 18.6 percent.

However, in the fiscal year 1943, if we continue at the same rate as we have been going for the first 8 months, the refunds would be about \$8,500,000 this year as compared to \$11,000,000 in 1942, and approximately \$15,000,000 in 1943.

Mr. O'NEAL. How many of your cases, would you say, on a percentage basis, are referred back to you after disagreement between you and the Internal Revenue Bureau?

Mr. CHESTEEN. Of course, we make a thorough examination.

Mr. O'NEAL. How many cases, would you say, in which you have disagreed, are referred back to you for a final decision?

Mr. STAM. In the last 8 months there have been three cases withdrawn.

Mr. O'NEAL. Three out of how many?

Mr. STAM. Out of 46.

Mr. O'NEAL. Some of the rest of the 46 may also be withdrawn?

Mr. STAM. Those are the ones in which we have been sustained. The amount of overassessment in those three cases is \$591,664.87. To this amount, if you add the accrued interest of \$114,326.03, the total would be \$705,970.90.

So you see that is a fairly substantial saving out of an aggregate amount of the overassessments of \$5,000,000 that came to us.

It is pretty hard to look at any particular year because it depends on whether the cases for that year involve any controversial questions. The three cases referred to involved controversial issues, and we were able to prevail on the Department to withdraw them.

Mr. O'NEAL. The total amount you have received for the operation of your committee is \$60,000?

Mr. STAM. That is right.

I would like to make a short statement about the appropriation situation, because I might say this, Mr. Chairman, that the work of the staff has been increasing terrifically as a result of the war, and as you know we have revenue bills almost incessantly in this period, and we are working on one right now.

So the committee itself felt that we ought to have some additions to the staff in order to meet the increased demands during the war.

Before stating our needs for the fiscal year ending June 30, 1944, I should like to state the present status of our appropriation. We show in the following table the status as to the House share, which is one-half our total of \$60,000 per annum—\$30,000 from the House and \$30,000 from the Senate. The table reflects the 10 percent increase by act of Congress.

TABLE I

Appropriation, House share (one-half of total of \$60,000)-----	\$30,000.00
Expenditures to Jan. 31, 1943-----	15,331.22
Balance in appropriation as of Jan. 31, 1943-----	14,668.78
Pay roll for 5 months to June 30, 1943, at present rate of \$2,720.71 per month-----	\$13,603.55
Fixed charges other than pay roll payable to June 30, 1943-----	500.00
Total requirements to June 30, 1943-----	14,103.55
Balance as of June 30, 1943, at present rate of expenditures---	565.23

However, as we shall show, it may not be possible to maintain the present rate of expenditures, and due to certain factors we may have to request the deficiency appropriation committee for a small additional sum. While you gentlemen will not have to consider that I should like to state the circumstances out of which a slight deficiency may arise.

For several years, even after the war began, we have maintained a fairly steady level of expenditures. We have not, since before the war began, made any increases in basic salaries. At the same time the burden as to revenue legislation has grown heavier each year. Due to this increased burden, the joint committee directed us to acquire certain additional expert personnel necessary to do the job. Getting such personnel has been a difficult problem due to the current demands for expert services, the selective-service needs, and increased scale of salaries outside and in the Government. We have been able to procure an actuary, an assistant statistician, and two clerical assistants with statistical experience. The total increase due to these additions which will be reflected in the expenditures in this fiscal year will be approximately \$4,900.

Against these additions to the technical staff, we lost during the past year the services of one tax attorney and a stenographer, both of which were replaced at a somewhat lower total cost, which reflects very little change in the total pay-roll expenditure. However, we expect to lose to the armed forces in the near future the services of three members of the staff, the sum of the monthly salaries of whom will amount to \$1,013.32, which will be reflected in the balance of the fiscal year ending June 30, 1940, but the amount is uncertain because it is impossible to know exactly when these three members will enter the armed services. Since they will have to be replaced on our staff, it is probable that little difference will be reflected in the requirements for the balance of the current fiscal year.

However, you are principally concerned with our requirements for fiscal year 1944, and it is in the light of the foregoing that I make the following statement of our needs for next year.

In addition to the changes already mentioned, and in accordance with the joint committee's directions, to replace lost personnel and to obtain certain additional skilled personnel, we have made preparation to acquire certain expert services, the total cost of which will be approximately \$18,000 per annum, or \$9,000 for the House share and \$9,000 for the Senate share, which will be reflected in fiscal 1944.

The following table sets out more clearly the needs for 1944 showing only the House share of the appropriations. This table does not reflect the 10 percent increase at present in effect, as does table I, but only the basic salary:

TABLE II

Present pay-roll rate, per annum, House share-----	\$31, 509. 84
Less: Salaries of 3 members of the staff to be lost to the armed forces reflected in fiscal year 1943-----	6, 079. 92
	25, 429. 92
Add 3 replacements and 1 addition at a cost of \$9,000 per annum----	9, 000. 00
	34, 429. 92
Total pay-roll requirements-----	34, 429. 92
Fixed annual charges for fiscal year 1944-----	600. 00
	35, 029. 92
House share-----	35, 029. 92
Add Senate share-----	35, 029. 92
	70, 059. 84
Total requirements, fiscal year 1944-----	70, 059. 84

In view of these requirements, therefore, as a result of the replacements and changes made necessary by reason of the authorization and direction of the joint committee to enable the staff to perform its functions, we request that you authorize a sum of \$35,500 for fiscal year 1944 from the House instead of the \$30,000 which you authorized for fiscal year 1943, and a like sum from the Senate, totaling \$72,000 annually.

That is the picture, Mr. Chairman, and we do need this amount.

Mr. O'NEAL. How are the increases and decreases made in your staff? Is it entirely the responsibility of the committee to say how many you will have, subject only to no other control except that of the appropriation of the money?

Mr. STAM. That is true.

Mr. O'NEAL. In other words, if the committee desired to add 10 men to your staff, they would have the authority to do that, subject to the appropriation?

Mr. STAM. Under the law they have that authority.

Mr. O'NEAL. I think it would be well to put in the record a table showing the number on your rolls, and the classification, that is, how many attorneys there are, how many clerks, how many stenographers, and so forth.

Mr. STAM. We will be glad to do that.

(The statement referred to is as follows:)

TECHNICAL STAFF.—*Joint Committee on Internal Revenue Taxation*

	<i>Basic monthly salary</i>
1 Chief of staff.....	\$670.00
1 Corporation auditor.....	620.00
1 Executive assistant.....	470.00
1 Secretary-attorney.....	395.00
1 Attorney.....	400.00
1 Statistician.....	400.00
1 Attorney.....	425.00
1 Technical assistant.....	290.00
1 Attorney.....	250.00
1 Secretary to chief of staff.....	210.00
1 Part-time messenger.....	45.00
1 Actuary.....	466.66
1 Assistant statistician.....	183.33
2 Stenographers and statistical assistants.....	166.66
1 Stenographer.....	165.00

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Mr. STAM. Mr. Chairman, we are faced with this problem concerning the men we want to get. Some of them are rather hard to get, particularly at this time, because of scarcity of skilled manpower.

DEFERMENT OF PERSONNEL FROM MILITARY SERVICE

Mr. O'NEAL. Have you asked for any deferments from the military service?

Mr. STAM. We are losing three men to the armed services. It may be, if we have a man who is particularly qualified, and whose services cannot be replaced, we will be compelled to request some deferment.

Mr. O'NEAL. Have you asked for any up to the present time?

Mr. STAM. We have made a request for a limited deferment in the case of one member of the staff, because we have been unable to find a person qualified to perform his services, which are absolutely essential to our work.

Mr. O'NEAL. Have you officially asked the military or naval service, or the draft board, for the deferment of any, and if so, for how long, or for what period of time?

Mr. STAM. A request has been made for a 6 months' deferment for this one person only.

Mr. O'NEAL. Did the other people at the place where he came from ask for that?

Mr. STAM. Yes; and we took their place in making the request after he came on our staff.

Mr. O'NEAL. You carried on the request?

Mr. STAM. Yes.

Mr. O'NEAL. Did you ask for permanent deferment?

Mr. STAM. We asked for 6 months' deferment. That is the only one we have asked any deferment for, because we felt that so far as other services are concerned, they could be replaced.

Mr. O'NEAL. We thank you very much for your statement, Mr. Stam.

OFFICE OF LEGISLATIVE COUNSEL

STATEMENTS OF ALLAN H. PERLEY, ASSISTANT LEGISLATIVE COUNSEL, HOUSE OF REPRESENTATIVES; AND HENRY G. WOOD, LEGISLATIVE COUNSEL, UNITED STATES SENATE

SALARIES AND EXPENSES

Mr. O'NEAL. We now take up the item for salaries and expenses for the Office of the Legislative Counsel. You had in 1943 an appropriation of \$82,550 for salaries and expenses, and you are asking for 1944 \$82,000, a decrease of \$550.

NO DEFERMENTS

Have you asked for any military deferments in your salary list?

Mr. Wood. I have not; no, sir. I have lost one man to the Army as a result of the draft—an assistant clerk; one man, a graduate of Annapolis, has gone back into the Navy; and a third man is on active duty at the War Department.

Mr. O'NEAL. But you have not asked for any of your employees to be deferred?

Mr. Wood. No, sir.

WORK OF OFFICE OF LEGISLATIVE COUNSEL

Mr. O'NEAL. Have you any statement that you would like to make about the work of the Legislative Counsel at this time? I think we are fairly familiar with it, but we shall be very glad to have any statement that you care to make with respect to the volume of work, and so forth.

Mr. Wood. So far as the Senate branch of the office is concerned, I think our work keeps increasing. I would not say that it is getting less, even though at the present time we have one man on furlough with the Navy, and another man in the Judge Advocate General's Department of the Army, who had worked for some time on military matters with the Military Affairs Committee, and is doing that same general type of work with the War Department now. The assistant clerk who was drafted has been replaced.

Mr. O'NEAL. You feel that this sum is adequate to carry you through 1944?

Mr. Wood. I think so. There is a little uncertainty as to the exact amount needed because of the fact that we have these two men on furlough, and then the proposed wartime pay increases which are now pending will make some difference. If there is any balance left we will turn it back at the end of the year.

REDUCTION OF 1944 ESTIMATE

Mr. O'NEAL. How about the \$550 reduction; to what is it due?

Mr. PERLEY. Last October, when we submitted the estimate of \$40,000 for our office, we did not know just how much we would need; so we

submitted that estimate, which is a reduction of \$550 from the appropriation for this fiscal year. At that time we had not appointed Waychoff; he was appointed November 16, and we did not know at the time we submitted our estimate whether we were going to find a man to appoint; and since that time, particularly since January 15, our work has become so heavy that we decided we would have to have another stenographer. I took that up with the Speaker, and he approved it, so we have appointed a stenographer at a basic salary of \$1,900. We use men stenographers. This man, incidentally, is in class 4-F. We therefore find it necessary, instead of asking for a decrease, to ask for an increase of \$450 over the appropriation for this year, which would be \$41,000. This does not take into account possible future action by Congress to make wartime salary increases.

SALARIES OF PERSONNEL

Mr. O'NEAL. Suppose you put your pay roll in the record.

Mr. PERLEY. Yes, sir.

(The statement requested is as follows:)

Basic salaries of members of the House Office of the Legislative Council as of Mar. 15, 1943

Legislative counsel_____	\$10,000
Assistant counsel_____	7,500
Do_____	7,000
Do_____	3,100
Law assistant_____	2,800
Chief Clerk and law clerk_____	4,000
Assistant clerk_____	2,300
Do_____	1,900
Total_____	38,600

Amount of additional compensation, per annum, provided for by the joint resolution of Dec. 22, 1942 (10 percent of so much of the basic salary of members of the office whose salary is less than \$5,000 per annum as is not in excess of \$2,900 per annum), \$1,280.

Salaries of members of the Senate Office of the Legislative Council

Legislative counsel_____	\$10,000
Assistant counsel ¹ _____	8,000
Do_____	7,500
Do ² _____	5,400
Law assistant_____	3,200
	³ 290
Clerk_____	3,900
	³ 290
Assistant clerk_____	2,100
	³ 210
Total_____	40,890

¹ On leave with U. S. Navy.

² On leave with U. S. Army.

³ Ten percent per annum increase pursuant to Public, 821, 77th Cong., approved Dec. 22, 1942.

Mr. O'NEAL. Are there any further questions? If not, we thank you very much, gentlemen.

TUESDAY, MARCH 9, 1943.

ARCHITECT OF THE CAPITOL

STATEMENTS OF DAVID LYNN, ARCHITECT OF THE CAPITOL; CHARLES A. HENLOCK, ADMINISTRATIVE OFFICER; WILLIAM C. BOND, SUPERINTENDENT, LIBRARY BUILDINGS AND GROUNDS; H. B. SOMMER, ELEVATOR ENGINEER; EDWARD BROWN, SUPERINTENDENT, HOUSE OFFICE BUILDINGS; DONALD G. FIFE, AIR-CONDITIONING ENGINEER; ROBERT L. HARRISON, CHIEF ENGINEER, CAPITOL POWER PLANT; WILLIAM C. JUSTICE, ASSISTANT ENGINEER, CAPITOL POWER PLANT

GENERAL STATEMENT

Mr. O'NEAL. We will take up this morning the items for the Architect of the Capitol.

Mr. Lynn, if you have a general statement to make with reference to the activities of the Architect of the Capitol we will be glad to hear you now.

ESTIMATES FOR 1944

Mr. LYNN. Mr. Chairman, I wish to state that in view of the war I have confined my estimates for the fiscal year 1944 to necessary maintenance items.

Items of a public-works character and improvements have been omitted for 1944, as was done last year, and even major repairs and improvements have been omitted for 1944.

The maintenance items are those that recur annually and are necessary for the care and maintenance of the buildings and activities under my jurisdiction, and are the same as the regular annual maintenance items allowed for 1943, with the exception that the item of coal for the Capitol power plant has been increased by \$58,220; eight additional employees at an additional cost of \$15,360 have been requested for the Capitol power plant, and one additional employee at an additional cost of \$350 for Sunday opening at the Library of Congress; and \$72,989 has been asked to cover the within-grade promotions authorized by the act of August 1, 1941, and the legislative changes in salary ranges authorized by the act of August 1, 1942.

The amounts for within-grade promotions are only to complete in 1944, the within-grade promotions that occur in 1943. The estimates do not include any amounts for new within-grade promotions that will fall due in 1944.

Aside from these regular maintenance items, the only special item requested under the estimates for 1944 is an item of \$36,735, which recurs every 4 years, for painting the dome and central portion of the Capitol Building, to preserve the cast-iron dome and the exterior sandstone of the building.

The estimates for the fiscal year 1944 total \$2,196,225, as compared to \$2,153,879 appropriated for 1943. Of this amount \$141,308 has been deducted for 1944 due to the omission of nonrecurring items, leaving a base of \$2,012,571 for the annual recurring items.

To this base have been added for 1944, \$146,919, for increase in annual items, and \$36,735 for increase due to a special nonrecurring item, a total increase of \$183,654; making the total amount of the estimates for 1944, \$2,196,225—a net increase of \$42,346.

ACTIVITIES AND FUNCTIONS

I also present a statement covering the general activities of the Office of the Architect of the Capitol.

The Architect of the Capitol, acting as an agent of the Congress, has charge of the structural and mechanical care of the United States Capitol Building, together with arrangements in cooperation with the proper authorities, for ceremonies and ceremonials held in the building and on the grounds; is responsible for the care, maintenance, and improvement of the Capitol Grounds, the old and newly enlarged areas comprising in all approximately 120.2 acres, as well as the care of the grounds, walks, and driveways about the buildings in the legislative group; has the structural and mechanical care of the Library of Congress Buildings, United States Supreme Court Building, Courthouse of the District of Columbia, Court of Appeals Building, Court of Claims Buildings, and Columbia Hospital for Women and Lying-In Asylum; is responsible for the operation of the United States Senate and House of Representatives Restaurants.

In addition to these activities, the duties and responsibilities of the Architect include the following:

Under the direction and approval of the House Office Building Commission, the structural, mechanical, and domestic care and maintenance of the House Office Buildings, including the maintenance and operation of the mechanical equipment, and the care, maintenance, and operation of the Capitol power plant, which supplies heat, light, power, and air-conditioning refrigeration for the Capitol, Senate, and House Office Buildings; heat, light, and power for the Library of Congress Buildings, United States Botanic Garden, United States Supreme Court Building, and the legislative garage, and steam heat for the Government Printing Office and Washington City Post Office;

Subject to the approval of the Senate Committee on Rules as to matters of general policy, the structural, mechanical, and domestic care and maintenance of the Senate Office Building, including the maintenance and operation of the mechanical equipment;

Subject to the joint action of the Vice President of the United States and the Speaker of the House of Representatives, the jurisdiction and control, including the care and maintenance, of the legislative garage.

In addition to these maintenance and repair activities, the Architect of the Capitol is charged with the planning and construction of such buildings as may be committed to his care by Congress from time to time.

Over and above these functions, the Architect of the Capitol serves as a member of the Capitol Police Board, of the Commission for the Enlarging of the Capitol Grounds, of the District of Columbia Zoning Commission, and of the Alley Dwelling Authority.

Summary of estimates, fiscal year 1944

	Estimate, 1944	Appropriation, 1943	Net increase or decrease
Office of the Architect of the Capitol: Salaries.....	\$64, 100	\$63, 665	+\$435
Capitol Building and repairs.....	335, 994	239, 900	+46, 094
Improving the Capitol Grounds.....	110, 866	147, 566	-36, 700
Maintenance, legislative garage.....	12, 720	12, 210	+510
Subway transportation, Capitol and Senate Office Building.....	2, 000	2, 000	-----
Maintenance:			
Senate Office Building.....	318, 255	313, 560	+4, 695
House Office Buildings.....	418, 005	391, 760	+26, 245
Capitol power plant.....	787, 376	782, 281	+5, 095
Library buildings and grounds:			
Salaries.....	98, 340	93, 570	+4, 770
Sunday opening.....	7, 679	6, 768	+911
Repairs and alterations, buildings and grounds.....	40, 890	50, 599	-9, 709
Total, Architect of the Capitol, legislative bill.....	2, 196, 225	2, 153, 879	+42, 346

*Items of increase in estimates for 1944***Personal services:**

To complete 1943 within-grade promotions in 1944, authorized by Public 200, 77th Cong., approved Aug. 1, 1941:

Salaries: Architect of the Capitol.....	\$435
Capitol Building and repairs.....	3, 385
Capitol Grounds.....	560
Legislative garage.....	90
Maintenance:	
Senate Office Building.....	2, 324
House Office Buildings.....	1, 660
Capitol power plant.....	1, 171
Library buildings and grounds.....	240
Total.....	9, 865

Legislative changes in salary ranges, authorized by Public 694, 77th Cong., approved Aug. 1, 1942:

Capitol Building and repairs.....	7, 533
Improving Capitol Grounds.....	1, 980
Legislative garage.....	420
Maintenance:	
Senate Office Building.....	15, 671
House Office Buildings.....	27, 085
Capitol power plant.....	5, 344
Library buildings and grounds:	
Salaries.....	\$4, 530
Sunday opening.....	561
	5, 091
Total.....	63, 124

Total increase to meet the provisions of the acts of Aug. 1, 1941 and 1942.....

72, 989

9 new positions:

Capitol power plant:

1 CU-8 operating engineer.....	2, 200
1 SP-6 chemist.....	2, 000
1 CU-7 boiler meter mechanic.....	2, 040
1 CU-7 switchboard operator.....	2, 040
1 CU-6 oiler.....	1, 860
1 CU-6 painter.....	1, 860
2 CU-5 mechanics at \$1.680 each.....	3, 360

Total (8 new positions)..... 15, 360

Items of increase in estimates for 1944—Continued

9 new positions—Continued.

Library buildings and grounds: 1 CU-4 mechanic helper for Sunday opening-----	\$350
Total (9 new positions)-----	15,710
Total increase under "Personal services"-----	88,699
Increased maintenance items: Capitol power plant, increase in cost of fuel from \$423,940 to \$482,160-----	58,220
New nonrecurring items: Capitol Building, painting dome and central portion of building-----	36,735
Total increase, estimates 1944-----	183,654

SALARIES, OFFICE OF THE ARCHITECT OF THE CAPITOL

Mr. O'NEAL. Proceeding now to an examination of the individual items, the first item is for salaries, on page 67 of the committee print and page 10 of the justifications. The appropriation for 1943 was \$63,665, and the estimate for 1944 is \$64,100.

We will be glad to hear you, Mr. Lynn, in reference to that item.

Mr. LYNN. The first item, Mr. Chairman, for salaries, Office of the Architect of the Capitol, represents an increase of \$435 which is to complete in 1944, the 1943 within-grade promotions authorized by Public Law 200, Seventy-seventh Congress, approved August 1, 1941.

There is no other change under this item.

DEFERMENTS FROM MILITARY SERVICE

Mr. ONEAL. I would like to ask you whether, under you, any deferments from military service have been asked for?

Mr. HENLOCK. Deferments have been asked for 13 men, in all, Mr. Chairman. Nine of the men are 38 years of age or older. One is 44; one 43; two 41; two 39; and three 38. Two of the others are 37, and two are 30. All are married, but one.

NUMBER OF EMPLOYEES ON DUTY WITH THE ARMED FORCES

Mr. O'NEAL. You have furnished us with a list of employees under the Office of the Architect of the Capitol who are on military duty. I think there is a total of 58 on that list.

Mr. HENLOCK. Yes, sir; 58 of our permanent, classified employees are now on military duty. We do not have any information as to how many of the patronage employees, whose services have been terminated by direction of the patronage committees, are now on military duty, as their positions do not, of course, carry with them reemployment rights, as in the case of our permanent employees.

TURN-OVER AMONG EMPLOYEES

Mr. O'NEAL. How much of a turn-over have you had during the past fiscal year?

Mr. HENLOCK. We have 915 employees in our regular organization. I would say, exclusive of patronage employees, the turn-over has been from 10 to 15 percent.

Mr. LYNN. What has been the turn-over among patronage employees?

Mr. HENLOCK. That has been as high as 200 percent.

Mr. O'NEAL. Among the employees for whom the estimate for 1944 is \$64,100, how much of a turn-over have you had in that list, about the same percentage?

Mr. HENLOCK. There was one man inducted into the military service.

Mr. O'NEAL. Only one out of that list?

Mr. HENLOCK. Yes, sir.

EXPENSES OF TRAVEL ON OFFICIAL BUSINESS

Mr. O'NEAL. The next item is in reference to the expenses of travel on official business, for which there is provided a limitation of \$750.

How much did you use in the last fiscal year?

Mr. LYNN. This is not a request for an appropriation, Mr. Chairman. It is only a limitation on the total amount under all funds which may be expended by the Architect of the Capitol in any one year. I have here a table showing the amount of the limitation and the actual expenditures for each fiscal year back to 1932.

Mr. O'NEAL. How much have you expended up to the present time in this year?

Mr. LYNN. We have expended, up to December 31, 1942, \$111.24.

TYPE OF TRAVEL REQUIRED

Mr. O'NEAL. What type of travel is necessary for the Architect of the Capitol to engage in?

Mr. LYNN. Traveling is done by our power-plant, elevator, air-conditioning, electrical, and other engineers in connection with the purchase, repair, or improvement of equipment; also visits to nurseries in connection with purchase of plant material are made by our horticulturist.

For 1942 we spent \$350.

For 1943 we have expended up to December 31, 1942, \$111.24.

Mr. O'NEAL. How does that run over a period of years; fairly uniform?

Mr. LYNN. We have a table showing the amount spent for the last 10 or 12 years.

Mr. O'NEAL. Have you expended \$750 a year as a rule?

Mr. LYNN. Sometimes we have expended a great deal more than that. It depends on the nature and volume of work authorized each year. In 1932, for instance, we spent \$4,188.96. Then in 1933 we expended \$2,106.

Mr. O'NEAL. In recent years when there have been no major repairs, the amount spent for travel has not been so large?

Mr. LYNN. No; it has not. It dropped in 1939 to \$562.59; in 1940 it was \$606.87; in 1941 it was only \$280.51, and in 1942 it was \$350.24. For the first half of the present fiscal year it was only \$111.24.

CAPITOL BUILDINGS AND REPAIRS

Mr. O'NEAL. The next item, on page 69 of the committee print, is for the Capitol Buildings and Grounds:

For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel oil, waste, and appurtenances,

and so forth, for which the amount received in 1943 was \$289,900, and you are asking for \$335,994 for 1944.

ITEMS OF INCREASE IN ESTIMATE

Will you explain that increase and tell us what this amount of money is used for?

Mr. LYNN. For the Capitol Building and repairs for 1944 there is a net increase of \$46,094.

There is one 1943 nonrecurring item omitted for 1944 for reconditioning space in the Senate Library, \$1,559.

There are three increases, totaling \$47,653 asked for 1944, of which two total \$10,918 under personal services, including \$3,385 for within-grade salary promotions and \$7,533 for legislative changes in salary ranges.

There is one nonrecurring increase, the only new, nonrecurring item contained in the Architect's entire estimate for 1944 and that is for painting the dome and exterior of the central portion of the Capitol Building, in the amount of \$36,735.

There is no other change in this estimate.

DISTRIBUTION OF ESTIMATE

Mr. O'NEAL. The amount of the expenditure in 1943, under the \$289,900 appropriation, is broken down on page 14 of the justifications.

Mr. LYNN. Yes, sir.

Mr. O'NEAL. That may be put in the record.

(The statement referred to is as follows:)

Capitol building and repairs, 1944—Details of estimate, with comparison to 1943

	Estimate, 1944	Appropriated 1943	1943, expended and obligated to Dec. 31, 1942
Personal services:			
Regular (141 employees).....	\$223,724	\$212,806	\$103,915
Temporary.....	9,598	9,598	7,529
Total: Personal services.....	233,322	222,404	111,444
Travel expense.....	100	100	17
Transportation of things.....	25	25	1
Communication service.....	20	20	3
Painting, annual.....	10,000	10,000	3,252
Painting dome and central portion.....	36,735		
Elevator repairs, annual.....	2,250	2,250	497
Plumbing renewals.....	5,000	5,000	
Substation equipment and repairs.....	3,100	3,100	972
General annual repairs and alterations.....	17,740	17,740	14,706
Reconditioning space in Senate Library.....		1,559	582
Advertising.....	50	50	
Maintenance and repair, lighting systems grounds.....	6,227	6,227	1,193
Maintenance, air-conditioning system.....	3,000	3,000	1,255
Supplies and materials.....	18,025	18,025	7,767
Office equipment and furnishings.....	400	400	71
Miscellaneous equipment and furnishings.....			202
Total expended and obligated of 1943 appropriation to Dec. 31, 1942.....			141,962
Balance of 1943 appropriation available to June 30, 1943.....			147,938
Total estimate or appropriation.....	335,994	289,900	289,900

PERSONAL SERVICES

Mr. O'NEAL. The item for personal services covers 141 regular employees, and the amount of expenditure for that item up to December 31, 1942, was \$103,915.

Mr. LYNN. Yes, sir.

Mr. O'NEAL. What are those employees? What are the types of jobs in which they are engaged? We would like to know the types of work they are engaged in.

Mr. LYNN. They include the mechanical force and the labor and cleaning force.

Mr. PLOESER. Can this number be reduced? Are all of these people absolutely necessary?

Mr. LYNN. I do not see how we can successfully operate, Mr. Ploeser, if we have to reduce that number.

Mr. O'NEAL. How much of a turn-over have you had in that personnel of 141 people? What has been the percentage of turn-over?

Mr. HENLOCK. There has been an average of four vacancies.

Mr. O'NEAL. Four at a time?

Mr. HENLOCK. Yes; if you averaged it over 6 months.

Mr. O'NEAL. Do you not think you will have that number during the fiscal year 1944?

Mr. HENLOCK. Possibly, on the regular force, Mr. Chairman; but as you will note, we are making expenditures for temporary labor at the rate of \$15,000 per year, whereas our full-year allotment for such labor is only \$9,598. The excess cost is being paid out of vacancy and other lapse savings. Due to the shortage of help on the regular force, we are having to use these savings to hire extra employees on the temporary roll to fill in until qualified employees for the regular roll vacancies can be found.

Mr. O'NEAL. If you have more of a turn-over there, is not that reflecting some saving in the appropriation?

Mr. HENLOCK. Yes, sir.

Mr. O'NEAL. Do you not anticipate that there will be some saving in this appropriation due to the fact that there is a turn-over and that there will be lapses?

Mr. HENLOCK. If identical conditions of employment obtain?

Mr. O'NEAL. Yes.

Mr. HENLOCK. For next year? Am I to understand that we are not to consider the deficiency caused by the 10 percent additional compensation authorized by the act of December 22, 1942, in giving these figures?

Mr. O'NEAL. You are asking for an increase on the base of the within-grade salary promotions and legislative changes, and you are absorbing the 10 percent?

Mr. HENLOCK. No, sir; we will not be able to absorb any part of the 10 percent. This additional compensation will cost about \$23,000. In fact we will only be able to absorb part of the cost of the legislative changes in salary ranges and within-grade promotions. The 10 percent additional compensation is not provided for at all under either the 1943 funds or the 1944 estimate.

Mr. O'NEAL. As I understand it, the 10 percent will be taken care of probably by action with reference to all of the departments later, and you do not have to figure on that. But could not this item, if

you do not have to figure on that, stand a little trimming, because you have some vacancies on an average of four at a time?

Mr. HENLOCK. If in 1944 the cost of additional compensation will be handled entirely in a separate bill, then we might reduce the personal services estimate for 1944 by about 2 percent.

REDUCTION IN ESTIMATE FOR ANNUAL PAINTING

Mr. O'NEAL. In reference to these items on page 14 of the justifications, have these various itemizations been fairly uniform over a period of years?

I notice there are some increases due largely to the increased cost of material. But as to the other items, such as that for painting, \$10,000, that amount was appropriated for that purpose in 1943. Has that been uniform over a period of years?

Mr. LYNN. For quite a number of years, \$17,500 was allowed for annual painting. The item was reduced to \$10,000 for 1943. This was due to the fact that the usual amount of painting could not be carried forward on account of the continuous session of the Congress. If the committee wishes, we can reduce the annual item for 1944 by 50 percent. In addition to our annual painting item, our 1944 estimates also contain a special item of \$36,735 for painting the Dome and central portions of the building.

Mr. O'NEAL. We will take up the building items later.

Mr. LYNN. I am willing to have you reduce the annual painting item from \$10,000 to \$5,000.

Mr. O'NEAL. The estimate for 1944 is \$10,000.

Mr. LYNN. Yes, sir.

Mr. O'NEAL. You are willing to take a \$5,000 reduction on that?

Mr. LYNN. Yes. I would not, however, recommend eliminating the item entirely, as a number of rooms require painting, and I would like to have \$5,000 allowed to paint such rooms.

PLUMBING RENEWALS

Mr. O'NEAL. Is there any other item, judging from your experience in the last few years, that could take a cut?

Mr. LYNN. We have an item for plumbing renewals amounting to \$5,000. It appears now that we will not be able to get the material to do the work, under this item, so I think that might go out.

Mr. PLOESER. Have you any materials on hand?

Mr. LYNN. We can get parts for making necessary repairs.

Mr. PLOESER. You will be able to get them?

Mr. LYNN. Yes, sir. However, the special item of \$5,000 is to put in entirely new equipment. It was asked to continue a program, started in 1936, for modernization of toilet rooms and equipment in the Capitol, including renewal of plumbing fixtures, partitions, and hot and cold water lines.

ELEVATOR REPAIRS

Mr. PLOESER. What about the amount for elevator repairs?

Mr. LYNN. We need that. There is no question about the need for that item.

Mr. O'NEAL. Have you been running fairly uniform with that amount for some time?

Mr. LYNN. Yes, sir.

Mr. PLOESER. You only spent \$497 up to December 31, 1942, for elevator repairs.

Mr. LYNN. We have only spent \$497 out of the \$2,250, allowed for 1943, as we are reserving \$1,000 to overhaul the sidewalk lift on the Senate side of the building. That should be done this spring. In addition, certain repair and replacement parts have yet to be ordered.

Mr. O'NEAL. How many new elevators did we provide for recently? Would not that reduce the amount for annual repairs?

Mr. LYNN. To some extent. The elevators were generally modernized and improved in 1934-36, but for the past 5 years the annual maintenance cost has run over \$2,000.

SUBSTATION EQUIPMENT AND REPAIRS

Mr. O'NEAL. You have an item for substation equipment and repairs, for which the estimate for 1944 is \$3,100.

Mr. LYNN. That runs about the same amount year in and year out.

Mr. O'NEAL. That refers to a substation of the power plant? When you say substation, do you mean the power plant?

Mr. LYNN. No, sir; we have a substation in each building.

Mr. O'NEAL. It is a power plant substation, is it?

Mr. LYNN. Yes, sir. One substation is located in the Capitol, one in the Senate Office Building, and one in each House Office Building. These substations are served from the Capitol Power Plant over 6,600-volt high-tension feeder cables.

Mr. O'NEAL. Could not that stand a little trimming?

Mr. LYNN. I do not see how it could.

GENERAL ANNUAL REPAIRS AND ALTERATIONS

Mr. O'NEAL. What about the item for general annual repairs and alterations, for which the estimate for 1944 is \$17,740?

Mr. LYNN. That runs rather uniform. Over 80 percent of our allotment of \$17,740 for 1943 was required to be spent in the first 6 months of this fiscal year.

Mr. O'NEAL. That is a close figure?

Mr. LYNN. Yes, sir.

Mr. PLOESER. That does not seem to be excessive considering the amount of property you have to take care of.

MAINTENANCE AND REPAIR—LIGHTING SYSTEMS ON GROUNDS

Mr. O'NEAL. For maintenance and repair, lighting systems on grounds, the estimate for 1944 is \$6,227.

Mr. LYNN. That is for maintenance and repair of the lighting system in the Capitol grounds. The amount of \$6,227 asked for 1944 is the same as allowed for 1943.

Mr. O'NEAL. Is that largely maintenance?

Mr. LYNN. Yes sir.

Mr. O'NEAL. There are no major repairs involved?

Mr. LYNN. The break-down of the item is as follows:

Lamps and processing of lamps.....	\$3, 476
Film cut-outs for series lamps.....	34
Outer glassware.....	894
Paint supplies.....	355
Cleaning materials.....	263
Miscellaneous electrical material—Fuses, cables, etc.....	277
Replacement parts.....	294
Operation and maintenance of special ladder truck.....	245
Tools and equipment.....	390
Total.....	6, 227

Mr. O'NEAL. That is a fairly uniform expenditure every year?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. That provides for taking care of the normal break-down and wear and tear?

Mr. LYNN. Yes, sir.

SUPPLIES AND MATERIALS

Mr. O'NEAL. For supplies and materials, the estimate for 1944 is \$18,025. Have you a break-down of that?

Mr. LYNN. Yes, sir; we can put that in the record.

(The break-down referred to is as follows:)

	<i>Estimate, 1944</i>
Cleaning.....	\$800
Electrical.....	1, 500
Carpentry.....	1, 600
Plumbing.....	800
Stationery, office supplies, etc.....	700
Hardware.....	800
Books.....	250
Incandescent lamps.....	8, 360
Heating and ventilating.....	400
Miscellaneous.....	500
Gasoline.....	350
Miscellaneous equipment.....	2, 000
Total.....	18, 060

Mr. O'NEAL. For the first 6 months of the fiscal year 1943 you spent \$7,765?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. Have you spent \$18,025 on an annual average for the past few years?

Mr. LYNN. In the statement on page 19 of the justifications you will see that the expenditures run rather uniform. In addition to the expenditure of \$15,714 shown for 1942, \$2,840 was expended out of the supplies and materials allotment for miscellaneous equipment as shown on page 71 of the committee print.

PAINTING OF CAPITOL DOME AND CENTRAL PORTION OF BUILDING

Mr. O'NEAL. I want to ask you about the item for painting the dome and central portion of the building, for which you are asking \$36,735 for 1944.

We will be glad to hear you as to the necessity for that item and why it is being requested at this time.

Mr. LYNN. For many years, the work of painting the dome and the central portion of the building has been done about every 4 years in

order to preserve the structure. This work was last done in the fiscal year 1940.

Mr. O'NEAL. That is the main Capitol building?

Mr. LYNN. That is the cast-iron dome, and the exterior of the central portion of the building which is constructed of sandstone. If the committee cares to defer this work for another year, I do not think any serious harm would result.

Mr. O'NEAL. Do you believe it would cause any damage or impairment of any kind by deferring that work for another year?

Mr. LYNN. I do not think so.

Mr. O'NEAL. The paint which is on there is still protecting the iron?

Mr. LYNN. Of course, paint, after the oil leaves it, becomes chalky and allows moisture to penetrate through to the structure itself, and that is why we have to repaint the dome and central portion of the building about every 4 years. But I think it would run over another year all right. This painting was deferred an additional year once before.

Mr. O'NEAL. The items on page 72 of the committee print, which are bracketed out, to be omitted, I think show what those funds are for.

CARE AND IMPROVEMENT OF CAPITOL GROUNDS

Mr. O'NEAL. The next item, on page 73 of the committee print, is for the care and improvement of grounds surrounding the Capitol, the Office Buildings, and the Capitol power plant, for which the appropriation for 1943 was \$147,566. You are asking for \$110,866 for 1944 for that item. We will be glad to have a statement from you about that, Mr. Lynn.

Mr. LYNN. For improving the Capitol Grounds for 1944 there is a net decrease of \$36,700.

There is one 1943 nonrecurring item omitted for 1944, for repairs to sewers, for which the amount was \$39,240.

There is an increase of \$2,540 under personal services requested for 1944, as follows: \$560 for within-grade salary promotions, and \$1,980 for legislative changes in salary ranges.

There is no other change in this estimate.

Mr. O'NEAL. The defect in the sewers was corrected by the repairs made under this item?

Mr. LYNN. The job has not been completed yet.

Mr. O'NEAL. But the major danger which you spoke of before has been taken care of, in your opinion?

Mr. LYNN. That will all be taken care of, when the job is completed.

Mr. O'NEAL. The situation you describe has been improved by these repairs for the present time?

Mr. LYNN. Yes, sir.

PERSONAL SERVICES

Mr. O'NEAL. Under the item for improving the Capitol Grounds you have a provision for personal services for which the estimate for 1944 is \$87,600. The amount appropriated for 1943 was \$85,060.

There are 54 regular employees covered in that estimate?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. Have you had much of a turn-over among those employees?

Mr. LYNN. We have had.

Mr. O'NEAL. Could there not be a reduction in that item, due to the fact that there will be lapses?

Mr. LYNN. I think there might be some reduction, since the additional compensation is not to be considered.

Mr. O'NEAL. You spent only \$37,051 up to December 31, 1942. It seems to me that would not be affected if we reduced that some.

Mr. LYNN. Of course the number of employees we have on the grounds in normal times are just sufficient to keep the grounds in good condition.

We have been unable to fill certain vacancies. However, we have had to carry more men than usual on the temporary roll to help carry on the work of the regular force.

GENERAL ANNUAL REPAIRS AND ALTERATIONS

Mr. O'NEAL. You have an item for general annual repairs and alterations, for which the estimate for 1944 is \$6,050.

Mr. LYNN. We have a break-down of that.

Mr. O'NEAL. Do you use about the same amount each year?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. That is a fairly stable item which you learn from experience is needed; is that correct?

Mr. LYNN. Yes, sir. This is the same as was allotted for 1943 and in general provides for minor repairs and improvements to paving and sidewalks in the grounds; minor pointing of walls surrounding the grounds; repairs to catch basins, manhole frames and covers; repairs and maintenance of underground sprinkler system, drain lines, and sewers; vault lights in the grotto; curbs and curbings; minor repairs and care of the fountains and fountain pools, including necessary rewiring and general repairs in and around the grounds.

SNOW REMOVAL

Mr. O'NEAL. You have an item for snow removal for which the estimate for 1944 is \$5,000. Is that estimate of \$5,000 to help get the snow off the roof before we get these repairs made to the roof?

Mr. LYNN. No, sir, it is principally for removal of snow from the streets, walks, and driveways in the Capitol Grounds; from the steps and approaches of buildings; also from the gutters in the roof. It is an annual item.

Mr. O'NEAL. Have you had to do anything of that kind this year?

Mr. LYNN. We have spent \$3,224 up to February 15, 1943.

In some years we expend only half of the appropriation. In other years we run over the appropriation.

In 1940, for instance, we spent \$7,416.

MAINTENANCE OF SIGNAL LIGHTS

Mr. O'NEAL. You have an item for the maintenance of signal lights, for which the estimate for 1944 is \$1,364.

Mr. LYNN. Yes, sir.

Mr. O'NEAL. Are you required to keep the signal lights in repair at all times?

Mr. LYNN. They are operated and maintained by the public utility company under contract. This is the same amount as was allotted for the fiscal year 1943. The maintenance cost for signal lights is determined by rates fixed by the Public Utilities Commission for the District of Columbia. The estimate provides for maintenance of 69 signals at an average rate of \$19.77 each per annum.

Mr. PLOESER. With the great decrease in traffic, would it not be just as well to shut off those lights?

Mr. LYNN. I think they have shut off some in the city. I have never made a study of that as to the Capitol Grounds. Before I would want to do that I would like to talk with the District traffic officials.

Mr. O'NEAL. Suppose you talk to them and let us know what they say tomorrow.

Mr. PLOESER. Traffic has been decreasing tremendously, and it seems to me the traffic lights are rather delaying than they are safeguarding it.

Mr. LYNN. I always seek the advice of Mr. Van Duzer, the head of the Traffic Bureau of the District, before making any change in the operation of the traffic lights.

Mr. O'NEAL. Suppose you talk to him about it and let us know what he says.

Mr. LYNN. Yes, sir; I will be glad to do that.

EQUIPMENT

Mr. O'NEAL. You also have an item for equipment for which the estimate for 1944 is \$4,200. You have spent during this fiscal year, up to December 31, 1942, \$1,751.

What was that used for?

Mr. LYNN. This is the same amount as was allowed for 1943 and provides tools, power and hand mowers, brushes, brooms, hose, couplings, waterproof wearing apparel, repairs, and replacement of equipment; replacement and upkeep of traffic signs and equipment, and truck and tractor repairs.

Mr. O'NEAL. The cost of those materials has gone up, I presume.

Mr. LYNN. The cost of all materials has gone up some.

Mr. O'NEAL. You feel you will need this full amount you are asking for?

Mr. LYNN. I think that is about as small an amount as we can get along with.

MAINTENANCE OF THE LEGISLATIVE GARAGE

Mr. O'NEAL. You have an item on page 29 of the justifications for the maintenance of the legislative garage, for which the estimate for 1944 is \$12,720. The amount appropriated for 1943 was \$12,210.

Mr. JOHNSON. What is the official name of that garage?

Mr. LYNN. The garage was originally known as the Capitol garage, but in order to eliminate confusion between this garage and a commercial establishment known as the Capital garage, the title was

changed from Capitol garage to legislative garage in the Legislative Branch Appropriation Act, fiscal year 1936 (49 Stat. 470).

The legislative garage provides parking accommodations for 28 Government-owned trucks and automobiles maintained for the official use of the Senate, the House of Representatives, and the Architect of the Capitol; parking accommodations for 96 privately owned automobiles belonging to Members of the United States Senate, and for 90 privately owned automobiles belonging to Members of the House of Representatives.

Mr. O'NEAL. What is the total number of parking spaces you have there?

Mr. LYNN. There are 214 parking spaces, in all. In addition, space is provided for the equipment used in the maintenance of the Capitol grounds.

Mr. JOHNSON. What service do you give over there?

Mr. LYNN. We do not service any cars except the official cars.

Mr. JOHNSON. What do you rate as official cars?

Mr. LYNN. The Government-owned automobiles and trucks that are housed in the garage.

Mr. JOHNSON. I notice there is an item for two gasoline pumps and one oil pump. Do you sell gasoline there?

Mr. LYNN. We furnish gasoline for the official cars of the House and for our own equipment from one of the pumps. The other pump is for the exclusive use of the official cars of the Senate.

Mr. JOHNSON. You do not sell gasoline to any one else?

Mr. LYNN. We do not sell any gasoline. The Architect purchases the gasoline through use of the Government general supply schedule and pays for the gasoline from appropriations under his office. The Architect is reimbursed by the proper officials of the House of Representatives, from appropriations under the House of Representatives, the cost of the gasoline furnished the official cars and trucks of the House of Representatives, at the end of each month, and the amounts so reimbursed are credited to the appropriations under the Architect of the Capitol.

Mr. JOHNSON. I also notice an item for two car-washing pumps.

Mr. LYNN. Yes, sir.

Mr. JOHNSON. Do you wash any cars except the official cars?

Mr. LYNN. No, sir; however Senators or Members may have their cars washed there by their own chauffeurs.

Mr. JOHNSON. There is no charge for that?

Mr. LYNN. No, sir.

Mr. JOHNSON. There is no one there in the car-washing business?

Mr. LYNN. No, sir. We only have seven employees there on our rolls and we do not allow them to service any privately owned cars during their regular working hours.

Mr. JOHNSON. Do you need seven employees there?

Mr. LYNN. Yes, sir; as we have to maintain three 8-hour shifts daily.

Mr. O'NEAL. The 1944 estimate for the legislative garage is \$12,720, whereas the appropriation for 1943 was \$12,210.

Will you make a statement in reference to that?

Mr. LYNN. That includes \$10,500 for personal services, \$1,500 for repairs and alterations, and \$720 for supplies and materials.

For 1943, \$9,990 was allotted for personal services, so there is an increase of \$510. \$90 of this increase is to complete in 1944 the 1943 within-grade promotions authorized by the act of August 1, 1941. The balance of the increase, \$420, is to meet the legislative changes in salary ranges prescribed by the act of August 1, 1942. Of the total force of seven employees, the salary rates of four were increased under this act. Due to the changes made under the act of August 1, 1942, we will have to ask a deficiency appropriation of about \$385 for 1943, and will run a deficiency again for 1944 unless an increase of \$510 is granted. The estimate for personal services for 1944 cannot stand any cut.

The amount for repairs and alterations is \$1,500. This is the same as allotted for 1943 and provides the necessary repair and upkeep of the structure and equipment. Doors, windows, and equipment must be repaired and kept in order and general structural repair and painting must be carried on.

The amount for supplies and materials is \$720, which is the same amount that was allotted for 1943, and it provides for claiming supplies, disinfectants, miscellaneous tools, brushes, brooms, paints, plumbing and steamfitting supplies, cleaning hose, electric lamps, oil, grease, waste, and general supplies for the care and maintenance of the garage. No gasoline is purchased under the garage appropriation.

Mr. JOHNSON. Are any of the employees of the garage on patronage?

Mr. LYNN. No; none at all.

SUBWAY TRANSPORTATION

Mr. O'NEAL. You also have on page 76 of the committee print for subway transportation between the Capitol and the Senate Office Building, for which the estimate for 1944 is \$2,000, the same amount that was appropriated for 1943.

Mr. LYNN. This year we have not spent very much. This small appropriation of \$2,000 provides for the rebuilding and maintenance of the subway cars, including the maintenance of the track and electrical equipment of the system.

Mr. O'NEAL. Do you think that could stand a reduction of about \$500?

Mr. LYNN. Possibly so; but I do not think it wise to reduce the allotment below \$1,500, because of the importance of keeping the system in safe operating condition.

MAINTENANCE OF SENATE OFFICE BUILDING

Mr. O'NEAL. As far as the item on page 77 of the committee print, for the maintenance of the Senate Office Building is concerned, I think it has been the practice of the House Committee on Appropriations for the legislative branch to refer that to the proper Senate committee for investigation, and no examination is made of that item by the House committee.

Mr. LYNN. That has been the practice of the House committee for a number of years.

HOUSE RESTAURANTS

Mr. O'NEAL. Mr. Lynn, we will take up the estimates for the House restaurants and we will be glad to have you make a statement, in any way you care to present it.

GENERAL STATEMENT ON ESTIMATE, RECEIPTS, AND EXPENDITURES

Mr. LYNN. The estimate for 1944 is \$27,500.

This is the same amount as allowed for 1943. The appropriations for operation, provided by Congress for the past 6 fiscal years to supplement the restaurant receipts, are as follows:

1938-----	\$28,200	1941-----	30,000
1939-----	29,800	1942-----	30,000
1940-----	30,000	1943-----	27,500

In addition to these funds allowed for operation, \$15,350 was provided in 1941 to establish the cafeteria in the New House Office Building.

The House restaurant in the Capitol was placed under the Architect of the Capitol October 1, 1940. The Architect was directed by House resolution of April 24, 1941, to establish the cafeteria in the New House Office Building and to operate the same as a branch of the House restaurant. The cafeteria was placed in operation March 3, 1942.

For the fiscal year 1942—July 1, 1941, to June 30, 1942—the receipts from the combined operation totaled \$114,318; the expenditures totaled \$137,034; so that the expenditures exceeded the receipts by \$22,716. The net loss on operations for the fiscal year 1942, however, actually amounted to \$20,508. The difference is accounted for by the increased value of inventories, including the establishment of inventories for the operation of the cafeteria.

For the 6-month period—July 1, 1942, to December 31, 1942—the receipts from operation of the House restaurant in the Capitol amounted to \$34,000, and the expenditures exceeded the receipts by \$18,767 for the first half of the fiscal year 1943.

For this same period, the receipts from the operation of the cafeteria amounted to \$33,771, and the expenditures to \$30,265; so that there was a profit of \$3,506.

The expenditure of \$18,767 in excess of receipts from the House restaurant in the Capitol for the first half of the fiscal year 1943 was, therefore, partly offset by the \$3,506 profit on the cafeteria, reducing the excess expenditures for the combined operations to \$15,261.

The net loss on the combined operations for this period amounted to \$14,632; the difference being due to increased value of inventories.

For the information of the committee, the following statement of expenditures and receipts, covering the House restaurant operations for the fiscal years 1940, 1941, 1942, and the first half of 1943, is presented.

	1940 July 1, 1939 to Dec. 31, 1939	1941 July 1, 1940 to Dec. 31, 1940	1942 July 1, 1941 to Dec. 31, 1941	1943 July 1, 1942 to Dec. 31, 1942
Expended.....	\$36, 470	\$51, 287	\$56, 263	\$83, 032
Receipts from operation.....	22, 777	34, 988	44, 450	67, 771
Expended in excess of receipts from operation— July 1 to Dec. 31.....	13, 693	16, 299	11, 813	15, 261
	Jan. 1, 1940 to June 30, 1940	Jan. 1, 1940 to June 30, 1941	Jan. 1, 1942 to June 30, 1942	
Expended.....	\$72, 215	\$64, 486	\$80, 771	
Receipts from operation.....	55, 272	54, 116	69, 868	
Expended in excess of receipts from operation— Jan. 1 to June 30.....	16, 943	10, 370	10, 903	
Expended in excess of receipts from operation— full 12-month period.....	30, 636	26, 669	22, 716	
Funds provided in annual Legislative Branch Appropriation Act to supplement the receipts from operation.....	30, 000	30, 000	30, 000	\$27, 500

On July 1, 1942—the beginning of the present fiscal year—the unobligated cash balance available for the operation of the House restaurants was \$40,230. This amount consisted of an unobligated cash balance of \$12,730 carried forward from prior fiscal year operations, plus the appropriation of \$27,500 provided by Congress in the 1943 Legislative Branch Appropriation Act.

Out of the cash balance of \$40,230, there has had to be expended \$15,261 to meet the amount that the expenditures exceeded the receipts for the 6-month period July 1, 1942, to December 31, 1942; leaving as the unobligated cash balance on January 1, 1943, available for the operation of the restaurants, \$24,969.

The Comptroller General has ruled that the employees of the House restaurants are entitled to the 10 percent additional compensation authorized by the act of December 22, 1942. To meet the requirements of this act will require an expenditure of approximately \$3,800 more during the second half of this fiscal year than was expended for labor during the first half of this fiscal year. In fact, as the rate of increase for legislative employees is likely to be raised to 15 percent or more, according to proposals now understood to be under consideration by Congress, the expenditure for labor will, in all probability, be increased to an even greater extent.

Should the additional compensation increase be left at the rate of 10 percent for the fiscal year 1944, then the cost of meeting such increase on a full year basis for 1944 would amount to about \$6,500. Should the increase be fixed at 15 percent, the cost would amount to nearly \$10,000. And, of course, if fixed at a higher rate, the cost would increase correspondingly.

In view of this consideration and the higher costs of food, it is urgently requested that the amount of \$27,500 requested to be appropriated, again be allowed for the fiscal year 1944.

For the further information of the committee, I wish to state that the restaurant accounts have been audited by the General Accounting Office and found in satisfactory condition.

Also, I wish to state that no changes have been made during the past year in the prices charged for meals served in the House restaurant, except in comparatively few instances. This factor, together with the fact that pay-roll costs were increased by approximately \$9,000 per annum, due to general salary adjustments which were largely the outgrowth of House Resolution 311, Seventy-seventh Congress, must be taken into consideration when considering operating losses, particularly in view of the increased cost of foods.

Mr. O'NEAL. That is a very interesting statement, Mr. Lynn.

Mr. LYNN. Mr. Chairman, I have asked Mr. Brockwell, the Manager of the House restaurants, to appear this morning and, if you have no objection, I would like him to make a statement to the committee.

Mr. O'NEAL. We will be very glad to have Mr. Brockwell make a statement.

OPERATIONS OF HOUSE RESTAURANTS AND CAFETERIA

Mr. BROCKWELL. Here are facts regarding the operation of the House restaurants and the New House Office cafeteria during 1942.

Mr. O'NEAL. Is that the fiscal year 1942?

Mr. BROCKWELL. That is the calendar year 1942.

All operating costs have risen substantially during 1942, and despite ceilings, the end of these cost increases is not yet in sight.

Pay-roll costs have increased at the rate of about \$15,500 per year. Of this amount approximately \$9,000 covers the general salary adjustments and approximately \$6,500 the 10 percent additional compensation authorized by Congress (as of December 1, 1942) for congressional employees.

Food costs have continued their general rise begun in 1940. Every category has risen. We now pay, as of January 1, 1943, 21 percent more for foods used in this operation than as of January 1, 1942; and 49 percent more than as of September 1, 1940.

Other materials such as paper supplies, cleaning materials, linen, china, silver, glassware, uniforms, equipment, replacements, and repair parts, have all risen as much or more.

Menu prices, however, have remained substantially the same, and it is again emphasized that some price increases are long past due.

The restaurant labor and manpower situation has become increasingly difficult. We have simplified our menu and replaced some men with women; and other men leaving have been replaced, where possible, by older or draft exempt men. Despite these devices, restaurant labor remains an acute day-to-day problem.

Deliveries of merchandise are slow and uncertain, necessitating larger than normal inventories. Many items have to be bought on a "pick it up yourself" basis.

Replacement of damaged and worn-out equipment has become a serious problem, sometimes involving months.

Food procurement difficulties grow from day to day. There are already shortages in meats, fish, shortening, poultry, butter, and so forth. A long list of foods now comes under Government rationing control. Many others are due to follow. This operation is conform-

ing to all food-control regulations, and we get no larger allotments because of being a Government agency than any other ordinary restaurant. This fact gives point to the necessity of continuing some restriction of the restaurant facilities. As food becomes scarcer, it may be necessary to limit the use of our restaurants solely to Members, secretaries, and bona fide congressional employees. There is already a definite trend among outsiders to eat here and thus stretch their allotments of scarce and rationed food items.

The cafeteria in the New House Office Building was opened for business March 3, 1942. Business there has increased steadily until it is now doing about 63 percent more business monthly than the average of the first 3 months. Additional tables and seats are being installed as rapidly as possible under present procurement conditions.

Several unsound factors, obvious to one working on the job daily, are inherent in the House of Representatives Restaurant set-up. Under present conditions, this is not the time to correct these conditions, but I believe they should be a matter of record for future consideration.

The present cut-up physical layout accounts for a considerable part of the annual loss sustained. All food and materials have to be handled by up-and-down dumbwaiter service, which is more difficult.

Mr. O'NEAL. You mean in both restaurants?

Mr. BROCKWELL. No; I am talking about the House of Representatives restaurant here in the Capitol. These extra handlings mean higher pay-roll costs and make food control more difficult, for, despite constant vigilance, some loss through theft inevitably occurs. It is recognized that the extreme volume variations in the type of business being conducted will probably always result in some annual operating loss, but redesigning and installing of a compact layout all on one floor would undoubtedly effect an annual saving of \$7,500 to \$10,000. If and when such a remodeling job is done, it is recommended that a smaller percent of the facilities be table service, and that more space be devoted to the counter and cafeteria type of service.

Mr. JOHNSON of Indiana. What do you expect it would cost to make the change?

Mr. BROCKWELL. Mr. Johnson, it is difficult to say. If you did it now, it would probably cost \$75,000 to \$100,000.

Mr. JOHNSON of Indiana. And you would have trouble in getting the material, too?

Mr. BROCKWELL. You probably could not get it.

Mr. O'NEAL. And how would you make such a layout? You could not put that all on one floor?

Mr. BROCKWELL. Well, not without some remodeling there, and unless you wanted to simplify the whole menu and serve simple menus and confine it in that manner.

Mr. O'NEAL. What about the number of users of the cafeteria since the first of the year, per day, and the number of users of the House restaurant per day?

Mr. BROCKWELL. The average number of customers in the cafeteria now amounts to about 1,050 to 1,150 per day. Here in the House restaurant it amounts to between seven and nine hundred on a very busy day. Seven to eight hundred is an average.

EXPENDITURES FOR ESTABLISHMENT OF CAFETERIA

Mr. O'NEAL. Mr. Lynn, you stated that in addition to the funds for operation there was \$15,350 provided in 1941 to establish the cafeteria. Has that been the total cost of the establishment of the cafeteria, or has it been necessary to spend more than that?

Mr. LYNN. We spent, in addition to this amount, about \$6,000 from the House Office Buildings maintenance appropriation, for structural and mechanical work.

Mr. O'NEAL. So that the total cost of the cafeteria, to establish it, was \$15,350 plus \$6,000?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. What was the additional expenditure for?

Mr. LYNN. Mr. Chairman, when the New House Office Building was erected, the space now occupied by the cafeteria was planned for such usage, but the area was never structurally finished. The space was left unplastered and otherwise unimproved, so that it was necessary to expend about \$6,000 for structural and mechanical work.

NOTE.—The figures given in the foregoing statements represent estimated costs, taken from a table prepared at the time the work was originally proposed.

The following are the cost figures, according to actual expenditures:

	<i>Expended</i>
Plastering ceiling and sidewalls: (Originally estimated at \$675, but increased to \$1,533—due to the use of acoustical plaster for the ceiling—not estimated for)-----	\$1, 533
Installation of rubber tile flooring-----	1, 133
Electrical work: Installation of conduit and fittings, wiring and connections, power cabinet and feeder, and changes to lighting system: originally estimated at \$2,900, but reduced to \$1,105 by elimination of labor cost through the use of the House Office Buildings regular maintenance force instead of employing outside labor as originally proposed) --	1, 105
Exhaust system: Installation of ductwork, fan motor, hoods, grilles, grease filters, fire damper, and other miscellaneous items to provide an exhaust system-----	1, 212
Air conditioning: Replacing existing air conditioning ducts with larger ducts to increase the amount of conditioned air for the cafeteria-----	204
Plumbing (not included in estimate)-----	312
Carpentry (not included in estimate)-----	368
Brickwork and miscellaneous (not included in estimate)-----	5, 867
Total expended-----	5, 867

EQUIPMENT PURCHASED FOR CAFETERIA

Mr. LYNN. Now, the \$15,350 was used for the purchase of ranges, refrigerators, and items of that nature.

Mr. O'NEAL. Suppose you put a break-down of that equipment in the record.

Mr. LYNN. Yes, sir.

(The break-down above referred to is as follows:)

House of Representatives—Cafeteria (New House Office Building)

Additional urgent deficiency, Appropriation Act, 1941, Public, No. 73,

Seventy-seventh Cong., approved May 24, 1941----- \$15,350.00

Expenditures:

Sinks, tables, counters, dish and glass washers, coolers, conveyors-----	\$6,494.00
Ranges, toasters, griddles, boilers, food warmers----	1,716.00
Refrigerators-----	1,996.00
Tables-----	740.88
Chairs-----	1,209.86
Food checking and cash registers-----	629.12
China, glassware, silverware, trays, cooking utensils bulletin boards, cleaning equipment and lockers----	2,452.23
Administrative expenses-----	98.79

Total expenditures----- 15,336.88

Unobligated balance----- 13.12

RECEIPTS OF CAFETERIA

Mr. O'NEAL. Now, you say the receipts from the cafeteria show a profit of \$3,506 from July 1, to December 31, 1942. I presume there will probably be quite a bit in excess of that for the 6-month period ending June 30?

Mr. BROCKWELL. It depends largely on the item of food cost.

Mr. O'NEAL. The cafeteria will be used a great deal more, I presume; unless the food costs go up too much, it is reasonable to expect you would have an increase?

Mr. BROCKWELL. If the food costs stay relatively stable, the more business you do the higher net there is going to be.

Mr. PLOESER. Mr. Brockwell, how long have you been running the restaurant?

Mr. BROCKWELL. About a year and a half, sir.

Mr. PLOESER. Where were you formerly in business before you came here?

Mr. BROCKWELL. I worked for the Schraft Co. for about 4 years. They operate in Boston, Syracuse, New York, Philadelphia, and they used to have a place here in Washington. I also worked for about 5 years for the United Cigar Stores.

Mr. PLOESER. What was your position with Schraft?

Mr. BROCKWELL. I started in there as receiving clerk and, when I left, I was in charge of their then largest operation at Forty-second Street and Madison Avenue, where they did about a million and three-quarters volume a year.

DEFICIT IN OPERATION OF HOUSE RESTAURANT

Mr. PLOESER. What is your estimate of what is wrong with the House restaurant, that it should come out every year with a deficit?

Mr. BROCKWELL. As I pointed out in my statement, in this particular year's operation—I am speaking now of the calendar year—our food costs are about 21 percent higher than they were last year.

Mr. PLOESER. But that is true of every restaurant?

Mr. BROCKWELL. But most other restaurants have increased their prices, and we have not.

Mr. PLOESER. What is to stop us from doing it?

Mr. BROCKWELL. I have no objection to it. In fact, I have been trying, or recommending that they be increased, and I am still in favor of making some price increase.

Mr. JOHNSON of Indiana. How do your prices compare with the average restaurant prices?

Mr. BROCKWELL. Well, they are lower; I do not know exactly how much lower. It depends on the kind of restaurant, naturally, with which you compare it.

Mr. JOHNSON of Indiana. I mean the ordinary restaurant.

Mr. BROCKWELL. Well, I should say they are from 20 to 25 percent higher.

Mr. JOHNSON of Indiana. On what articles are you lower?

Mr. BROCKWELL. Well, you take this luncheon that we sell for 60 cents; most places would get 75 cents—certainly 75 cents and many of them 85 and 90 cents now days—for that same thing. And right straight through our whole menu there is certainly a differential in price of anywhere from 10 to 20 percent on almost any item.

Mr. O'NEAL. Furthermore, having just one meal a day is a handicap?

Mr. BROCKWELL. That contributes to it, and the fact the place is cut up in the lay-out is another factor I pointed out, that makes it uneconomical to operate.

Mr. PLOESER. You do not charge rent into this expense?

Mr. BROCKWELL. No, sir.

Mr. PLOESER. What would you normally pay in rent for a restaurant?

Mr. BROCKWELL. Seven and a half to nine percent.

Mr. PLOESER. What percent of your entire income is this deficit?

Mr. BROCKWELL. This first 6 months, of course, is not an average figure; those are the worst 6 months in the year, and this present six-month operation will undoubtedly show better operating results, provided, always, the prices do not continue to skyrocket.

Mr. PLOESER. I am trying to find out how much worse off you would be if you had to do as the normal restaurateur—had to pay for rent, light, electricity, power, and heat?

Mr. BROCKWELL. We do not pay for any of those items here, but in an outside operation those items would amount to 10 to 11 percent.

Mr. PLOESER. Of your total expenses?

Mr. BROCKWELL. Of your total gross revenue.

Mr. PLOESER. Of your gross income?

Mr. BROCKWELL. Yes.

Mr. PLOESER. So that you would have another \$2,500 loss if you had to pay for those normal basic items of overhead that every other restaurant has?

Mr. BROCKWELL. Yes.

Mr. PLOESER. Well 25 percent increase in your receipts would bring it up to about \$28,000, and you would still have a deficit of seven or eight thousand dollars in the past 6-month period?

Mr. LYNN. Of course, generally restaurants serve three meals a day; at this restaurant in the Capitol, we only serve one luncheon period.

Mr. O'NEAL. Is your spoilage a large item?

Mr. BROCKWELL. No, sir.

Mr. PLOESER. Well, you are open for breakfast, too.

Mr. LYNN. There are probably 15 people there in the morning.

Mr. BROCKWELL. There are more people there for breakfast now than there used to be on account of people trying to get extra coffee, primarily.

Mr. PLOESER. What improvement would there be in the expense ratio if you discontinued breakfast and did not open until 10:30 or 11 o'clock?

Mr. BROCKWELL. Well, it would not make a great deal of difference.

Mr. LYNN. We have to have a force in the dining room that would ordinarily serve three meals a day.

Mr. BROCKWELL. There is one other factor that may not be as apparent to you as it is to me, that is the fact that we operate here no matter how busy the Congress is—we still have to have the place available, even though there are only 15 or 20 Members around, during the dull periods, and it costs us practically as much to operate then, with the exception of a few part-time waiters, as if we had a capacity business.

Mr. PLOESER. Of course that is almost entirely reflected in the last 6 months of any given calendar year?

Mr. BROCKWELL. That is right.

Mr. PLOESER. But you still show a loss in the other 6 months?

Mr. BROCKWELL. That is right.

Mr. PLOESER. There are many other restaurants in the country that operate one-meal restaurants.

Mr. BROCKWELL. Clubs, principally.

Mr. PLOESER. Not only clubs, but most office-building restaurants. They have very little supper business and very little breakfast business.

Mr. BROCKWELL. The office buildings, of course, a great many of them, now days especially, do a pretty good breakfast business.

Mr. JOHNSON of Indiana. You hire your help by the hour or by the day?

Mr. BROCKWELL. We hire it by the month, or we pay them on a monthly basis and they are hired by the day.

Mr. JOHNSON of Indiana. That includes the waiters?

Mr. BROCKWELL. Yes, sir.

Mr. JOHNSON of Indiana. Do you have any confidence that you can make this restaurant pay if you were just left to do it in your own way?

Mr. BROCKWELL. No, sir; I do not. I do not believe with that type of operation—and by that I mean the extreme variation in volume and the necessity for supplying this food all in practically a 2-hour period, and particularly with the lay-out what it is—that you will ever make a profit here. I think if your menu prices were increased somewhat and if in normal times you shut down during the summer, as they have heretofore, you might reduce your deficit. And I think the proof of that is the fact that here with substantially the same menu prices and

in the face of these increased food costs of 21 percent last year and pay-roll increases at the rate of \$15,500 per year, we are still showing about the same results that we showed last year, or in previous years.

Mr. JOHNSON of Indiana. Do you manage the Senate restaurant also?

Mr. BROCKWELL. No, sir; I do not manage the Senate restaurant.

AUDIT OF HOUSE RESTAURANT ACCOUNTS

Mr. O'NEAL. What about the audit made of your accounts? The General Accounting Office does that how often?

Mr. LYNN. Twice a year.

Mr. O'NEAL. And where are those audits lodged after they make them? Do they send them up to the Speaker of the House?

Mr. LYNN. No, sir; they send them to the Architect of the Capitol.

Mr. O'NEAL. And they are available and open to anybody who wants to see them?

Mr. LYNN. Yes; and are on record in the General Accounting Office.

Mr. PLOESER. Now, about this cafeteria over here in the Office Building: You pay no rent, of course, or light, or heat, or power, either. If we applied your 11-percent ratio for those expenditures, we would have had \$208 loss on the cafeteria for the 6 months July 1 to December 31.

Mr. O'NEAL. If you applied depreciation?

Mr. PLOESER. If you applied the percentage of 11 percent of the gross income for your rent, heat, and light.

Mr. ANDERSON. How about depreciation?

Mr. PLOESER. No depreciation. My opinion—and, of course, everybody has a different opinion on food, I realize—but my opinion is that the food in the cafeteria is far superior to the food in the House restaurant, which is not even comparable in preparation, in my opinion. Also, it serves breakfast and probably has a better breakfast trade than you have in the House.

Mr. BROCKWELL. Oh, yes; much better.

Mr. PLOESER. And it has a heavier luncheon trade, too.

Mr. BROCKWELL. It has more customers; yes.

Mr. PLOESER. And its prices appear to be less; I do not know whether they are, or not.

Mr. BROCKWELL. While they may appear to be, I will give you one illustration of difference. In the cafeteria we sell the rolls, butter, and cream—that is, extra cream—and the jams, honey, and items of that type. In the House restaurant we give them away.

Mr. JOHNSON of Indiana. Where do you give away the jams and honey? I have not run across that.

Mr. BROCKWELL. Well, come in to breakfast, Mr. Johnson, and we will serve it to you then.

Mr. PLOESER. The point I am making is this: I do not think there would be any disagreement on the fact that the House Office Building cafeteria should be a profitable venture. It is not yet. It would be in the red if you had to do what the normal restaurateur has to do, and that is to pay all of his expenses. You will probably go in the blue in the next 6 months when you get your heavy trade. Now, if

that sort of operation can be profitable, why cannot we convert the House restaurant to principally a cafeteria service?

Mr. BROCKWELL. We can. I do not know whether you were here, or not, when I made this statement and recommended eventually that we do that, or at least make a considerable portion of our facilities here in the Capitol cafeteria and counter service.

MAINTENANCE, HOUSE OFFICE BUILDINGS

Mr. O'NEAL. We will take up now the item for maintenance of House Office Buildings, page 79. The appropriation for 1943 was \$391,760, and you are requesting for 1944, \$418,005.

We will be very glad to have you make a statement about that, Mr. Lynn.

Mr. LYNN. Before you proceed to House Office Buildings item, may I make a short statement here for the record with reference to my entire regular organization?

Mr. O'NEAL. We will be very glad to have it.

TURN-OVER IN PERSONNEL

Mr. LYNN. The regular year-around force under the Office of the Architect of the Capitol consists of 915 employees. During the fiscal year 1942, there were 313 separations from the service, or one-third of the entire force. Of these separations, 129 were in regular classified positions, and 184 were in patronage positions. In addition, 20 employees were inducted into the military service. There were 302 appointments made.

The turn-over in the regular force was about 15 percent; the turn-over in the patronage force was about 150 percent.

Of the 915 employees, about three-quarters are men, and one-quarter are women. Ninety percent of the women, are charwomen.

Of the men, about 250 are engineers and mechanics. Over one-quarter of the engineering and mechanical force are within the ages of 18 to 38. About one-third of these men between 18 and 38 are engineers and mechanics at the Capitol Power Plant.

If occupational deferments are not secured for a substantial number of these employees, then the work of this office, particularly at the Capitol Power Plant, is likely to be seriously hampered.

I wanted you to know the situation in regard to our employees.

DISTRIBUTION OF ESTIMATE

Mr. O'NEAL. Yes; now, the increase which you are asking for 1944 is made up of two items, is that correct—within-grade promotions, \$1,660, and legislative changes in salary ranges, \$27,085?

Mr. LYNN. That is correct.

Mr. O'NEAL. I will ask that you put in the record the break-down of appropriation items on page 46.

Details of this estimate, with comparison to 1943

	1944, estimate	1943, appropriation	1943, expended and obligated to Dec. 31, 1942
Personal services:			
Regular: 318 employees.....	\$350,890	\$322,145	\$145,445
Temporary.....	2,500	5,000	21,739
Total personal services.....	353,390	327,145	167,184
Travel expense.....	25	25	17
Transportation of things.....	10	10	
Communication service.....	10	10	1
Annual painting.....	30,000	30,000	7,768
Elevator repairs, annual.....	4,000	4,000	1,849
General annual repairs.....	8,820	8,820	3,433
Maintenance, air conditioning systems.....	4,500	4,500	1,564
Laundry.....			482
Supplies and materials.....	15,000	15,000	11,706
Special equipment.....	750	750	88
Storage boxes.....	1,500	1,500	549
Miscellaneous equipment.....			120
Total expended and obligated of 1943 appropriation to Dec. 31, 1942.....			194,761
Balance available to June 30, 1943.....			196,999
Total estimate or appropriation.....	418,005	391,760	391,760

PERSONAL SERVICES

Mr. LYNN. In explanation of the items making up the estimate for 1944, the first item is personal services, \$353,390.

For 1943, \$327,145 was appropriated, so there is a net increase of \$26,245 as follows:

\$1,660 to complete in 1944 the 1943 within-grade promotions authorized by the Act of August 1, 1941.

\$27,085—the balance of the increase—is to meet the legislative changes in salary ranges prescribed by the Act of August 1, 1942.

Of the total regular force of 318 employees, the salary rates of 47 mechanics and laborers and all 145 charwomen were increased under this Act. The change of the charwomen's rate from 50 cents to 65 cents per hour, alone, accounts for approximately 80 percent of the increased salary cost.

These increases, totaling \$28,745, are offset by a decrease of \$2,500 occurring in the temporary labor item which is decreased from \$5,000 to \$2,500.

Mr. O'NEAL. I do not quite understand why you could not make a reduction on this personal service item, with the turn-over you have. Your lapse item must be considerably larger. Now, you are asking for increased funds to take care of the legislative changes and within-grade promotions?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. With the turn-over, why is not the lapse rate so great that there can be a substantial reduction in the amount for personal services? It seems to me that naturally follows.

Mr. HENLOCK. We cannot deny that if identical employment conditions obtain next year as have obtained so far this year, there will be lapse savings. Of course, if there were to be any saving above our needs, it would not be used for other than salary purposes.

Mr. O'NEAL. It would revert to the Treasury?

Mr. HENLOCK. This year, it would be used to help meet the 10 percent additional compensation cost, for one thing.

Mr. O'NEAL. What do you anticipate will be unused of the 1943 appropriation during the fiscal year 1943?

Mr. HENLOCK. Our lapse savings may run as high as \$10,000, but in 1943, the entire saving will be required to help meet the cost of the legislative changes in salary ranges, which for 1943 will amount to \$24,778, and for which no funds have been provided.

Mr. O'NEAL. And how many separations did you have?

Mr. HENLOCK. Mr. Chairman, a somewhat similar condition exists here as was pointed out in the case of the Capitol Building and repairs appropriation. As you will note, we are making expenditures for temporary labor at the rate of \$43,500 per year, whereas our full-year allotment for such labor (exclusive of the \$2,500 extra allowance for labor for moving Members—none of which was expended in the first 6 months) was only \$2,500. The large excess cost is being paid out of vacancy and other lapse savings. Due to shortage of help on the regular force—both classified and patronage—we are having to use these savings to hire extra employees on the temporary roll to fill in, until qualified employees for the regular roll vacancies can be found and patronage vacancies are filled by the committee.

As has already been indicated, the legislative changes in salary ranges prescribed by the act of August 1, 1942, are costing us \$24,778 for 1943, and, of course, as yet no supplemental funds have been appropriated to meet this cost. At the rate our expenditures are running, even using our lapse savings, we will need a deficiency appropriation of from \$15,000 to \$20,000 for this item for 1943. And since no part of the 10 percent additional compensation can be absorbed in 1943, we will also need a deficiency appropriation for that item.

Mr. O'NEAL. In this amount of \$418,005, the total increase for personal services requested for 1944 is \$28,745. Now, assuming you are going to have this turn-over in 1944, which you know you will have, how much would you say that would represent in dollars and cents for lapses?

Mr. HENLOCK. I would judge about \$10,000 in 1944. Based upon our expenditure of \$167,184 for the first half of 1943, and taking into consideration within-grade promotions that will fall due in the second half and the fact that the legislative changes in salary ranges have to be met for 6 months, instead of 5 months, in the second half, and assuming that employment conditions will remain substantially the same, the total expenditure for personal services for 1943, exclusive of the 10 percent additional compensation, would be about \$339,000, plus the \$2,500 for moving Members.

Adding to the \$339,000 figure, \$1,660 to complete the 1943 within-grade promotions in 1944 and \$2,257 for an additional month (July) for the legislative changes in salary ranges, would make the total personal services expenditure for 1944 about \$343,000 or \$344,000.

Mr. ANDERSON. In the general item for personal services, in your opinion it would not cripple your efforts, then, to take off \$10,000 there?

Mr. HENLOCK. Based upon the condition, of course, that the chairman has assumed—that identical employment conditions will obtain. That is \$10,000 under the 1944 estimate figure. In other words, a

reduction of the 1944 estimate for personal services from \$353,390 to \$343,390.

Mr. O'NEAL. I understand—because you have the within-grade promotions?

Mr. HENLOCK. Yes, sir; and the other items mentioned.

Mr. O'NEAL. Assuming those are granted?

Mr. HENLOCK. Yes, sir. But I feel I should stress that a substantial part of the lapse savings come from vacancies in the patronage positions. We have always felt that these positions should be available for Members of Congress to fill at any or all times they may wish. And, of course, if the lapse savings are cut from the appropriation as proposed, then the patronage positions cannot be filled continuously throughout the year, but only to the extent that the amount available under the appropriation will permit.

Mr. O'NEAL. Now, you have an item of travel expense, \$25; transportation of things, \$10; communication service, \$10; annual painting, \$30,000.

REDUCTION IN ESTIMATE FOR ANNUAL PAINTING

How necessary is that annual painting item?

Mr. LYNN. Mr. Chairman, in regard to that item, I think we could very well cut it in half. As in the case of the Capitol Building, the usual amount of painting cannot be carried forward, now that the Congress is remaining in continuous session.

Mr. O'NEAL. That is more in line with your experience up to December 31, 1942?

Mr. LYNN. Yes. However, I do not recommend reducing the estimate below \$15,000 as that amount of work will have to be done.

Mr. ANDERSEN. That seemed to me to be a pretty heavy item to carry this year, in regard to painting.

Mr. O'NEAL. Yes. He says this can be cut in half.

Mr. ANDERSEN. I am glad to see that cut.

ELEVATOR REPAIRS

Mr. O'NEAL. How about elevator repairs; do you feel it would be unsafe to reduce that?

Mr. LYNN. I would like our elevator engineer, Mr. Sommer, to discuss with the committee, the elevator item.

Mr. O'NEAL. Mr. Sommer, we would like you to make a statement as to the condition of the elevators in the House Office Buildings, for which there is an annual repair item of \$4,000, and discuss the adequacy or inadequacy of that amount.

Mr. SOMMER. In both House Office Buildings there are altogether 20 elevators and 1 lift. Of those 20 elevators, 5½ elevators, I would say, have been completely remodeled during the last fiscal year. The rest of the equipment is in fairly new and good condition. I would say it is in safe condition now.

But the New House Office Building elevators are gradually getting older and older. I think they are about 10 years old now, and some day in the future we will have to make some adjustments or some replacements on the controllers and other equipment. We have no leveling devices on those elevators, and it is very hard to keep the

equipment in proper adjustment without eventually making some improvements in the control system.

Mr. O'NEAL. Are they safe?

Mr. SOMMER. Yes; they are safe. All of the elevators are safe in the House Office Buildings now, with the improvements that have been made.

I understand, Mr. Chairman, you were interested in knowing the annual amount of money we need for repairs and maintenance. We have been asking for \$4,000 for both buildings since 1940, and so far we have spent \$3,110 out of the \$4,000 allowed for 1943.

We have to renew three driving sheaves in the new building. The material of those sheaves is not of sufficient hardness. The cables, in other words, wear into the grooves, and form imprints in the groove walls, which might cause damage to the hoist cables. Unfortunately, it was not generally known that the material was too soft, and the elevator companies found only last year that the hardness was not correct.

Mr. O'NEAL. The companies themselves found it out?

Mr. SOMMER. That is correct.

Mr. O'NEAL. Are they willing to make any adjustment in replacing them? It seems to me, as they furnished inferior metal for that purpose, it is their obligation and not our obligation.

Mr. SOMMER. Those sheaves were installed by a company that does not exist any more—one that was taken over by another elevator company.

Mr. O'NEAL. Well, did not they assume their liabilities?

Mr. SOMMER. Not in this instance. This condition was not confined to the House Office Building, but was general throughout the industry on this type of equipment. It was one of those things that can be found out only by experience.

Then we have to waterproof one of the pits in the rear of the building. We found quite often on rainy days that the water gets into those pits and might cause some damage and even accidents if the water should get into the control cables. This item costs \$450.

Then we have another list of parts that we have to buy, for about \$511.

Mr. O'NEAL. Can you get the parts at the present time?

Mr. SOMMER. Yes; we can get most of the parts. We are holding our requirements down to an actual minimum. In other words, we are not buying any more parts than we really need just to keep the elevators in safe operating condition.

Mr. O'NEAL. But there is no question about being able to get them?

Mr. SOMMER. It is quite hard to get them. For some parts we have had to wait for as much as 6 months. For instance, we almost had to shut down several elevators on account of not being able to get elevator brushes. It would have taken 1 year to get the brushes if we had not put in an emergency request. However, although there is delay, we are actually able to get necessary repair parts.

Then there is \$300 worth of cable that we want to buy this year. Our annual allotment for cable is \$1,500 a year for these two buildings. Fortunately, we have some reserve in stock. I would say we have cable on hand for about a year and a half, of which 1 year's supply will

have to be used between now and September. In order to make the necessary cable renewals next year, we will have to buy another year's supply in the fiscal year 1944. About a half-year reserve must be kept in stock at all times in order to meet emergencies, as cable must be stocked well in advance inasmuch as it takes about 6 months to secure a delivery.

That item will go up higher next year again, from \$300 to \$1,500 for cable, because the House Office Buildings require more cable per elevator than those in any other of our buildings.

Mr. O'NEAL. The two House Office Buildings?

Mr. SOMMER. Yes; the two House Office Buildings require 34 percent of all of the cable on Capitol Hill, because the elevators in the New House Office Building use three times the cable length of the shaft. They are basement machines and one cable length is three times the height of the shaft.

Mr. O'NEAL. You feel all of these items, then, are very essential and necessary during the coming year?

Mr. SOMMER. I would say so, Mr. Chairman.

Mr. O'NEAL. Thank you.

GENERAL ANNUAL REPAIRS

For general annual repairs, you have an item of \$8,820. For what is that to be spent, Mr. Lynn?

Mr. LYNN. For general annual repairs, we have listed here carpenter repairs, \$1,500; plumbing repairs, \$1,000; roof and sheet metal, \$1,000; machinery and equipment repairs, \$2,000; electrical repairs, \$1,500; general miscellaneous repairs, \$1,820.

Mr. O'NEAL. On this plumbing, a lot of it cannot be obtained during the coming year; is not that correct, Mr. Lynn?

Mr. LYNN. We can get repair parts for the existing equipment.

Mr. O'NEAL. For the first 6 months of the fiscal year 1943 you have spent \$3,400. Do you think that could take a cut of a couple thousand dollars on your general annual repair item?

Mr. LYNN. Mr. Brown, what do you think about that; do you think that would stand a cut?

Mr. BROWN. It would stand a cut if we did not have some unforeseen thing turn up.

Mr. O'NEAL. That would come out of emergency repairs, or we could take care of that anyway, I presume.

Mr. BROWN. Only the other day a break occurred in the water piping connected to the toilets, and if we had not had the necessary repair parts on hand at the time, serious inconvenience would have occurred through enforced delay in securing the necessary repair and replacement parts.

MAINTENANCE, AIR CONDITIONING SYSTEM

Mr. O'NEAL. What about the item of \$4,500 for maintenance of air-conditioning systems? I notice you spent \$1,564 for the first half of the fiscal year 1943. I believe there is a break-down of the items on page 50 of the justifications.

I would be very glad to have you tell us the condition of the air-conditioning systems, Mr. Fife, and why you think this amount of money is necessary.

Mr. FIFE. This \$4,500 figure for the two House Office Buildings was first requested in 1940 shortly after we first operated the new air-conditioning equipment in those two buildings. The break-down as shown on this page is the same as it was then. We have not changed it because that amount of money has been satisfactory and, although the actual expenditures do not always coincide with the break-down, the total is all right. We have not expended half of it to date, as you point out.

Mr. O'NEAL. Do you think we would be safe in making a small cut there of a couple thousand dollars?

Mr. FIFE. The danger of that is this, that the plant is now 5 years old and we should expect, particularly due to the fact we have made very few replacements in the past 5 years, that the replacements and repairs should start to become of greater importance than they have been.

For instance, I made a study of the belt drives in the United States Capitol Building, as an example, and found if they had to be replaced the coming year, which is a possibility, it would take in the neighborhood of five to six hundred dollars. That is something we have not been confronted with before, but it is a possibility during the coming year, or at some period in the future, which we cannot predict exactly. That is one of the dangers of cutting down on the basis of the expenditures the first half of this year.

Mr. O'NEAL. From your experience with this equipment, what is the life of the equipment before it begins to need major repairs?

Mr. FIFE. As I say, it has been 5 years now and we have had really no major repairs. We are beginning to replace belts, rubber, and fabric belts, that are used on all of the fans. There have been some small replacements of piping in the steam condensate lines. Some of the equipment will last for 10, 15, or 20 years without any replacements or repairs at all. Fans, for example, have lasted a lot longer than that without any replacements except minor repairs to the bearings. It is pretty hard to make a general statement, because there are so many kinds of equipment involved.

Mr. O'NEAL. Thank you very much.

SUPPLIES AND MATERIALS

Now, the item for supplies and materials is \$15,000. What about that, Mr. Lynn?

Mr. LYNN. This is the same as allotted for 1943 and provides all cleaning, plumbing, carpentry, heating, electrical, hardware, toilet, and general supplies for the care of the two buildings.

Mr. O'NEAL. You have expended \$11,706 for the first 6 months of the year?

Mr. LYNN. Yes, sir.

Mr. O'NEAL. You have that stock on hand, have you, which will probably last through the fiscal year?

Mr. LYNN. At the beginning of the fiscal year I had Mr. Brown make up a list of supplies and materials and repair parts he needed, or that he would need for the year; but other things have come up from time to time, requiring further expenditures and as up to December 31, 1942, we expended \$11,706 out of the total allotment for 1943, undoubtedly the full amount of \$15,000 will have to be expended before the end of this fiscal year; and I am sure our experience will be the same again next year.

Mr. O'NEAL. But you have bought up to now enough to take care of the situation, you think?

Mr. LYNN. Mr. Brown, do you think you could get along with a small cut there?

Mr. BROWN. I do not know, Mr. Lynn. It depends on how much material goes up in price next year, when you go to buy it for 1944.

Mr. LYNN. Of course everything is going up in price. However, based on the experience of our needs for the first half of 1943, I do not feel that this item can stand any cut for 1944.

SPECIAL EQUIPMENT

Mr. O'NEAL. For special equipment, including miscellaneous equipment and storage boxes, you ask for \$2,250, which I believe is the same as was allowed in the 1943 appropriation. I notice under the \$750 for miscellaneous equipment only \$88 has been spent up to the first of the year. Would that take a cut there without doing very much damage to the work?

Mr. LYNN. That is for the usual special equipment.

Mr. O'NEAL. You think that would take a cut? How about the storage boxes?

Mr. LYNN. This amount of \$2,250 is the same as allotted for 1943 and provides \$750 for miscellaneous equipment and \$1,500 for storage boxes.

Mr. O'NEAL. What are the storage boxes?

Mr. BROWN. They are packing boxes for Members for shipping their files and other personal property home at the end of each Congress.

Mr. O'NEAL. That is a wooden box?

Mr. BROWN. Yes, sir.

Mr. O'NEAL. That is not the trunk?

Mr. BROWN. No, sir, it is not the trunk; it is the box made up in our shops.

Mr. O'NEAL. Are those called for in such amount that the full \$1,500 will be required?

Mr. BROWN. The Members are entitled to two each.

Mr. O'NEAL. And you feel the full \$1,500 will be required for that purpose, do you?

Mr. BROWN. I think it will be, sir.

NUMBER AND SALARIES OF PERSONNEL

Mr. O'NEAL. I think the table on page 52 might be included in the hearings.

Mr. LYNN. Yes, sir.

Personnel—Maintenance, House Office Buildings, 1944

	Obligations			
	Estimate, 1944		Estimate, 1943	
	Man-year	Average salary	Man-year	Average salary
PERSONAL SERVICES, CLASSIFIED				
Clerical, administrative, and fiscal service:				
Grade 12. Superintendent.....	1	\$5,000	1	\$5,000
Grade 10. Assistant superintendent.....	1	3,500	1	3,500
Grade 6. Assistant superintendent.....	1	2,300	1	2,300
Grade 5. Assistant superintendent.....	1	2,200	1	2,125
Grade 4. Clerk.....	3	1,980	3	1,935
Grade 2. Junior clerk.....	5	1,548	5	1,530
Subprofessional service:				
Grade 6. Physiotherapy aide.....	1	2,500	1	2,450
Grade 5. Head nurse.....	2	2,160	2	2,130
Custodial service:				
Grade 9. Assistant mechanical superintendent.....	1	2,900	1	2,900
Grade 9. Foreman painter.....	1	2,500	1	2,500
Grade 8. Principal mechanic.....	6	2,317	6	2,279
Grade 7. Senior mechanic.....	4	1,980	4	1,969
Grade 6. Mechanic.....	18	1,767	18	1,759
Grade 5. Senior attendant.....	10	1,548	10	1,548
Grade 4. Under mechanic.....	6	1,329	6	1,320
Grade 3. Senior laborer.....	6	1,330	6	1,300
Grade 2. Junior laborer.....	40	1,232	40	1,200
Forewoman of charwomen, 7 hours per day, 55 cents per hour.....	5	1,209	5	1,209
Charwomen, 3 hours per day, 50 cents per hour.....	140	471	140	471
Legislative changes in salary ranges.....		27,085		24,778
Total, classified.....	250	269,590	250	264,928
PERSONAL SERVICES UNCLASSIFIED				
Clerk.....	1	1,860	1	1,860
Senior laborer (foreman).....	2	1,260	2	1,260
Assistant heating room attendant.....	4	1,260	4	1,260
Elevator operators.....	39	1,200	39	1,200
Junior laborers.....	22	1,140	22	1,140
Total, unclassified.....	68	81,300	68	81,300
Total permanent, classified and unclassified.....	318	350,890	318	346,228
Temporary.....		2,500		5,000
01 Personal services (net).....		353,390		351,228

CAPITOL POWER PLANT

Mr. O'NEAL. We will pass now to the Capitol Power Plant. The appropriation in 1943 was \$782,281; you are requesting in 1944 \$787,376, a net increase of \$5,095. The increases asked total \$80,095. How are those broken down?

Mr. LYNN. Under personal services, \$21,875, made up as follows: To complete in 1944 the 1943 within-grade promotions, \$1,171; legislative changes in salary ranges, \$5,344; eight additional positions, \$15,360.

Under supplies and materials, the annual item of fuel is increased from \$423,940 to \$482,160, or an increase of \$58,220.

Mr. O'NEAL. What about the decreases? You might read that, too.

Mr. LYNN. The decreases totaling \$75,000 offsetting these increases are—reduction in annual item of temporary labor due to new positions asked, \$5,000; repairs to pumphouse screen, \$5,000; rebuilding trucks, \$1,000; spare pumps, \$60,000; extension of coal yard, \$4,000.

The regular appropriation, 1943 act, was \$782,281. Deduct non-recurring and other items not required for 1944, totaling \$75,000 given above, makes the base for 1944 \$707,281.

DISTRIBUTION OF ESTIMATE

Mr. O'NEAL. Now suppose you include page 55 of the justifications in the hearings.

Mr. LYNN. Yes, sir.

Capitol power plant, 1944—Detail of the items making up estimate with comparison to 1943

	Estimate, 1944	Appropriated, 1943	1943 expended and obligated to Dec. 31, 1942
Personal services:			
Regular:			
109 employees, 1944.....	204, 120	\$182, 245	\$87, 754
101 employees, 1943.....			
Temporary.....	12, 356	17, 356	15, 427
Total personal services.....	216, 476	199, 601	103, 181
Travel expenses.....	100	100	45
Transportation of things.....	10	10	4
Communication service.....	10	10	9
Utility services:			
Annual item: Gas and electric.....	2, 200	2, 200	553
Navy yard stand-by service.....	5, 700	5, 700	2, 280
General annual repairs and alterations.....	60, 000	60, 000	19, 232
Repairs to pumphouse screen.....		5, 000	1, 192
Rebuild trucks.....		1, 000	400
Advertising.....	50	50	15
Supplies and materials:			
Miscellaneous annual supplies.....	15, 670	15, 670	12, 131
Fuel:			
1944, 82,000 tons, at \$5.88 per ton.....	482, 160		
1943, 82,000 tons, at \$5.17 per ton.....		423, 940	203, 478
Oil and waste.....	4, 000	4, 000	196
Total supplies and materials.....	501, 830	443, 610	215, 805
Equipment:			
Miscellaneous steam, electrical, and refrigeration equipment.....	1, 000	1, 000	
Refrigeration spare pumps.....		60, 000	1, 824
Coal yard extension.....		4, 000	3, 119
Total expended and obligated of 1943 appropriation to Dec. 31, 1942.....			347, 659
Balance available to June 30, 1943.....			434, 622
Total estimate or appropriation.....	787, 376	782, 281	782, 281

PERSONAL SERVICES

Mr. O'NEAL. Now what about the item for personal services, Capitol power plant, \$216,476?

Mr. LYNN. In explanation of the items, the first is personal services, \$216,476. For 1943, \$199,601 was allotted, so this estimate represents a net increase of \$16,875 resulting from increases of \$21,875 for within-grade promotions and pay adjustments, and for eight additional positions, offset by omitting an item of \$5,000 allowed last year under the heading of temporary labor to provide for additional positions required.

In detail, the increases are as follows: \$1,171 is to complete in 1944 the 1943 within-grade promotions authorized by the act of August 1,

1941. \$5,344 is to meet the legislative changes in salary ranges prescribed by the act of August 1, 1942. The gross increase for this item is \$7,560, but is offset by \$2,216 made available from the 1943 allotment for within-grade promotions, due to the adjusting of pay rates under the act of August 1, 1942, in lieu of making certain within-grade promotions under the act of August 1, 1941, so that the net increase for this item is \$5,344. Of the total regular force of 101 employees, the salary rates of 63 mechanics and laborers were increased under this act.

ADDITIONAL PERSONNEL REQUESTED

Mr. O'NEAL. Now suppose you turn to the item of \$15,360 requested for eight additional positions. Why are those necessary?

Mr. LYNN. Of the eight additional positions requested, the more important need is for the four positions of chemist, boiler meter man, switchboard operator, and painter, totaling \$7,940. The other four positions, operating engineer, oiler, and two mechanics, totaling \$7,420, were included in the Budget estimates when prepared last fall, to provide an emergency operating relief crew, but in an effort to hold increases to an absolute minimum, the request for these four positions is withdrawn at this time. I would like Mr. Harrison, our chief engineer, to make a statement on this item.

Mr. HARRISON. That is for the four additional positions?

Mr. O'NEAL. No; eight additional positions are listed here.

Mr. HARRISON. The SP-6 chemist is required to take care of the operation of the new chemical boiler feed water system.

Mr. O'NEAL. You are requesting that now, are you?

Mr. HARRISON. Yes, sir.

Mr. O'NEAL. How have you handled that in the past?

Mr. HARRISON. We have never done any chemical treating in the past; we have just been able to secure equipment to put this into operation. We have been over 18 months securing the equipment, and the last part of it was delivered about 10 days ago and is now being installed.

Mr. O'NEAL. I do not understand exactly what the equipment is for.

Mr. HARRISON. It is for the chemical treatment of the feed water to prevent scale and corrosion.

Mr. O'NEAL. You have not had that before?

Mr. HARRISON. No, sir. We never had any chemical treatment; we have filtered and softened the water. But since the load has increased, we find it is necessary to further treat the water by the introduction of chemicals into the water.

Mr. O'NEAL. And it takes a chemical engineer to do that?

Mr. HARRISON. Yes, sir.

Mr. O'NEAL. Do you need him for a full year's time?

Mr. HARRISON. Yes, sir.

Mr. O'NEAL. What is the next position?

Mr. HARRISON. The next is a CPC-7 boiler meter man. He is a mechanic to repair and adjust and keep all of the boiler instruments, gages, and meters in repair.

Mr. O'NEAL. How have you done that in the past?

Mr. HARRISON. In the past, we have been sending most of the meters to the manufacturer for repairs, but we have installed so many new meters that the delay caused in sending the equipment out has been

costly and has held us up, so that we feel we should have a man right in the power plant to take care of this work.

Mr. O'NEAL. Is there a man there now who is competent to do that kind of work?

Mr. HARRISON. We have a man there who has been taking care of some of the meters, but since many new meters and instruments are now being installed, the work will be beyond the capabilities of one man.

Mr. O'NEAL. What is the next one you are requesting?

Mr. HARRISON. The next is a CPC-7 switchboard operator. This position has been filled so far this fiscal year by a man on the temporary pay roll, who has been working on the Capitol power plant switchboard.

Mr. O'NEAL. Will this man do the job that the temporary man did?

Mr. HARRISON. This man will do the same job as the man filling the temporary position.

Mr. O'NEAL. Do you reduce the temporary roll by that amount, in putting this man on permanently?

Mr. HARRISON. Yes, sir.

Mr. O'NEAL. But the man who would take over this job and take over the duties done by the temporary laborer, and has there been a reduction in the temporary labor by that amount?

Mr. HENLOCK. We are reducing the temporary labor allotment by \$5,000. You allowed that amount last year to supplement the regular force with temporary help, in lieu of a request for funds to increase the regular force.

Mr. O'NEAL. How much of a reduction was that?

Mr. HENLOCK. Five thousand dollars.

Mr. O'NEAL. What is your next increase?

Mr. HARRISON. The next one is a CPC-6 painter. In the past we have run along up to the end of the fiscal year and then gone out and hired painters to come in and do the painting at the Capitol power plant. We thought, if we could get a man on the permanent pay roll at the Capitol power plant, he would be able to work all the year around touching up different sections until we got a regular schedule worked out.

Mr. O'NEAL. You think that would be an economy?

Mr. HARRISON. I think so.

Mr. O'NEAL. Can you get all of these men; is there any trouble about getting them?

Mr. HARRISON. No; Mr. Chairman.

Mr. O'NEAL. But do you think you can probably get them?

Mr. HARRISON. We think we can get the chemist and the painter. The switchboard operator, of course, is on the job now in a temporary position and, if that job is made permanent, he will just be transferred from the temporary roll to the permanent roll.

Mr. O'NEAL. I understand you have dropped the request for the last four positions on page 57. Am I correct in that?

Mr. HARRISON. Yes, sir.

Mr. O'NEAL. Now, there is a statement in your justifications—

Although \$15,360 is requested for this item, actually there is a net increase of \$10,360, due to the fact that the item of temporary labor has been reduced by \$5,000 for 1944—or from \$17,356 to \$12,356. For 1943, the temporary labor allotment was increased from \$12,356 to \$17,356, in order to help meet the personnel

shortage at the plant; but operating requirements cannot be properly met except by augmenting the regular force. Accordingly, it is requested that for 1944 the temporary labor allotment be reduced and the regular personnel allotment be increased.

Where does this reduction in temporary labor show up? Is that what you just mentioned, \$5,000?

Mr. HENLOCK. Yes, sir; and the switchboard operator, whom we are asking to have added to the regular force for 1944, is one of the men who has been paid out of the \$5,000. We will have no means of paying him in 1944 unless the funds for the regular force are increased, or the full \$17,356 appropriated for temporary labor for 1943 is again allowed for 1944.

Mr. O'NEAL. If this \$7,940 is allowed—let us assume that; it is a violent assumption, but let us assume it—that would be an increase in the permanent roll of \$7,940, and a reduction of \$5,000 that you speak of in your temporary roll. To make a corresponding reduction for those that would go on the permanent roll, we are short \$2,940?

Mr. LYNN. That is correct.

Mr. O'NEAL. Could we take out of this temporary allotment, then, that difference of \$2,940 without causing any impairment of the services? What do you think about that?

Mr. HENLOCK. Based on this year's expenditures to date, we will not only spend our full allotment for personal services, but also run a deficiency for 1943. As will be seen, we are making expenditures for temporary labor at the rate of \$30,854 per year, whereas our full year allotment for such labor is only \$17,356. The excess cost is being paid out of vacancy and other lapse savings. Due to the shortage of help on the regular force, as in the case of the other appropriations, we are having to use these savings to hire extra employees on the temporary roll to fill in, until qualified employees for the regular roll vacancies can be found. The legislative changes in salary ranges prescribed by the act of August 1, 1942, are costing us \$7,560 for 1943. No supplemental funds have yet been appropriated to meet this cost. At the rate our expenditures are running, even using our lapse savings, we will need a deficiency appropriation of about \$7,000 for this item for 1943. In addition, we will, of course, need a deficiency appropriation to cover the 10 percent additional compensation. On the basis of expenditures for the first half of 1943, we would spend for a full year \$206,360, plus \$489 for within-grade promotions due April 1, 1943, plus \$630 for one additional month in the second half for the legislative changes in salary ranges; or a total of \$207,479. In 1944, we will have to spend an additional \$1,171 to complete the 1943 within-grade promotions, and an additional \$630 for the month of July for legislative changes in salary ranges not involved in 1943, or a total of about \$209,000. This amount is offset for 1944 by \$2,216 savings already deducted in the Budget estimates and is increased by the \$15,360 for the eight new positions less the amount of \$5,000 for temporary labor; so that the estimate still comes to \$216,476.

Mr. O'NEAL. In other words, the answer is "No"?

Mr. HENLOCK. Yes, sir; no cut. We have made detailed studies, Mr. Chairman, which bear these points out.

CONDITION OF POWER PLANT

Mr. O'NEAL. What is the general condition of the Capitol power plant, Mr. Harrison?

Mr. HARRISON. The condition is favorable, considering the age of the plant. We are having considerable difficulty getting supplies, and so forth, but we keep the place going. We asked for money for progressive improvement in the refrigerating space and the boiler room, but war restrictions have made it impossible to secure materials, and so forth to proceed with this program.

Mr. O'NEAL. I mean the power plant is in good physical condition at the present time?

Mr. HARRISON. To the best of my knowledge, yes, sir.

REIMBURSEMENTS FOR STEAM FURNISHED TO CITY POST OFFICE AND GOVERNMENT PRINTING OFFICE

Mr. O'NEAL. You furnish power and heat for what buildings?

Mr. HARRISON. For all of the legislative buildings. We supply light, heat, power, and refrigeration for the Capitol and Office Buildings, light, heat and power to the Library Annex, Botanic Gardens, the Supreme Court Building, the Library of Congress, and steam to the City Post Office and the Government Printing Office.

Mr. LYNN. We supply only steam for the Printing Office and the City Post Office.

Mr. JOHNSON of Indiana. Is that more than you had last year?

Mr. HARRISON. No, sir.

Mr. O'NEAL. You have reimbursement, do you, from the City Post Office?

Mr. LYNN. Yes, sir; and the reimbursements are covered into the Treasury as miscellaneous receipts.

Mr. O'NEAL. Can you put a statement in the record showing what reimbursements there are to the Federal Government by virtue of the service you supply?

Mr. LYNN. I will put that in the record.

Reimbursement for steam supplied by the Capitol power plant to the Government Printing Office and the Washington City Post Office

Fiscal year 1940.....	\$64,038
Fiscal year 1941.....	70,042
Fiscal year 1942.....	68,584

Since the fiscal year 1930, the maintenance and operating costs of the plant have been borne in entirety from direct appropriations provided by Congress and the reimbursements received from the Government Printing Office and the Washington City Post Office have been covered into the Treasury as miscellaneous receipts.

TURN-OVER OF EMPLOYEES

Mr. O'NEAL. Now, in the break-down on page 55 you have listed for 1944 109 employees at \$204,120. As I understand, that could be reduced to 105 employees and you are not asking for 109, but you are asking for 105. And of course a corresponding reduction could be made in the amount?

Mr. LYNN. That is correct.

Mr. O'NEAL. What about the turn-over down there? Have you had much turn-over in the 109 employees?

Mr. HARRISON. We have had considerable turn-over in the last 18 months by men being drafted, and I have had to keep on bringing in more than my allotment of temporary men at the bottom of the pay roll so as to be able to give them 2 or 3 weeks' training so that as men were inducted we put relief men in on watches so that they will be able to carry on without destroying a whole lot of equipment.

Mr. O'NEAL. I notice you expended \$87,754 for the first 6 months of the fiscal year 1943, which is considerably less than one-half of what you are asking for 1944, and less than one-half of what you received in 1943. I presume your lapses have something to do with that?

Mr. HENLOCK. Yes; but, as already pointed out, we have had to spend for temporary labor \$15,427—nearly the whole year's allotment, to provide for the help that Mr. Harrison speaks of, using lapse and vacancy savings to pay for the extra temporary help, in order to keep the plant going.

Mr. O'NEAL. And here is where you are reducing that temporary by \$5,000?

Mr. HENLOCK. Yes, sir.

Mr. O'NEAL. At the same time, that \$87,754 is somewhat less than the appropriation for 1943. Considering the turn-over and lapses and the fact you are asking for temporary \$12,356, do you not think that would stand a little more reduction than four employees, without endangering operations?

Mr. HENLOCK. That was gone over very carefully and we figured each pay-roll—

Mr. O'NEAL. And you feel that is a very close figure, do you?

Mr. HENLOCK. I do not feel our 1944 personal service estimate can stand any cut, other than the 4 positions withdrawn. Any lapse savings will be needed for extra temporary relief help, as in 1943.

UTILITY SERVICES

Mr. O'NEAL. Now for utility services you are asking \$2,200 for regular annual and \$5,700 for Navy Yard stand-by service. Explain that a little bit.

Mr. LYNN. This is the same as for 1943 and provides for two services—regular annual, \$2,200, and Navy Yard stand-by service, \$5,700.

This item provides, under regular annual, for gas service at the Botanic Garden; the Senate folding room on B Street, SW.; for electric current for the Senate folding room; for stand-by services for the New House Office Building, such as emergency service for the telephone exchange, corridors and auditorium; also current for the regular service for the physiotherapy rooms and clock system. At the Supreme Court Building, current is provided for the clock and buzzer systems.

Mr. O'NEAL. Why is the gas and electric item there for the first 6 months of the fiscal year 1943 just about one-quarter of the total amount you are asking for 1944?

Mr. HARRISON. The bills have been so far behind, Mr. Chairman. We received five bills a few days after this statement was drawn up.

Mr. O'NEAL. Well, suppose July 1 comes and they are still away behind, that will be carried over, will it not?

Mr. HENLOCK. No, sir; they will have to be paid out of this year's appropriation, being a 1943 obligation.

Mr. O'NEAL. Have you figured that charge of \$2,200 pretty carefully or will it take a little slicing?

Mr. HARRISON. That is on the gas and electric?

Mr. O'NEAL. On the gas and electric, yes. You spent \$553 for the first 6 months of the year, and that is only a quarter of the amount.

Mr. HARRISON. We spent about \$1,700 last year.

Mr. O'NEAL. It looks as though that would take a little cut without impairing the efficiency, don't you think?

Mr. LYNN. No, sir; I do not think this item can stand a cut. Although several hundred dollars were saved under the gas allotment, the saving was more than offset by an over-expenditure of \$800 under the electric stand-by service item.

Mr. O'NEAL. Well, you used \$1,700 last year. What about the Navy Yard stand-by service; what did you spend on that last year?

Mr. HARRISON. \$6,533.21.

GENERAL REPAIRS AND ALTERATIONS

Mr. O'NEAL. Now, on this item for general annual repairs and alterations, \$60,000: You spent for the first half of the fiscal year 1943 \$19,232. Why do you expect you will need \$60,000 in 1944?

Mr. HARRISON. Mr. Chairman, we can stand to let you make a cut on that.

Mr. LYNN. The following revised break-down of this item is presented for the information of the committee:

Repairs and alterations—Annual

Stoker repairs	\$8,000
Repairs to furnace brickwork	6,000
Repairs to boiler equipment, piping, and accessories	10,000
Salt for regenerating water softener	4,000
Repairs to buildings	2,500
Coal- and ash-handling equipment	2,000
Calibrate switchboard instruments	1,000
Motor trucks and bulldozer	500
Pump house	1,000
Refrigeration plant	3,000
Steam tunnel	3,000
Turbines	5,000
Miscellaneous	2,000
Total	48,000
Balance, unable to spend because of restrictions on materials and improvements	12,000
Total	60,000

Mr. O'NEAL. In other words, you have reduced the \$60,000 by \$12,000, making the request \$48,000?

Mr. LYNN. Yes, sir.

Mr. JOHNSON of Indiana. Do you have any trouble getting material to make your stoker repairs and boiler repairs and stuff of that sort?

Mr. HARRISON. We have considerable trouble obtaining materials for stoker repairs, but so far we have been able to secure all necessary parts to make repairs. We have been stopped in buying new equipment to go ahead with our progressive improvements. Although we

ask and receive bids on it, the companies bidding will ask for a priority. To get a priority that would secure this equipment, we have to write a justification. In writing this justification the people in the War Board draw you out and find what inventory you have on hand, or they ask "Is this an extension or improvement?" And we have to say it is an improvement, and immediately they turn us down on the priority. That is why we have had to stop all of this work and have just kept up the actual maintenance and repair of the plant.

Mr. JOHNSON of Indiana. Do you have any reason to believe you can get those stoker repairs in the sum of \$8,000 this year?

Mr. HARRISON. Yes; because we do not order until our stock becomes almost exhausted or have no inventory at all, and they give us a high enough priority to secure the necessary castings.

PURCHASE OF FUEL

Mr. O'NEAL. With reference to the item of fuel, you buy approximately 82,000 tons a year; is that correct?

Mr. HARRISON. Yes, sir.

Mr. O'NEAL. And in 1943 your average price was \$5.17 a ton, and you expect it will cost you \$5.88 in 1944?

Mr. HARRISON. It is \$5.94 now.

Mr. O'NEAL. You mean as of when?

Mr. HARRISON. Right today.

Mr. O'NEAL. That is the present price you pay?

Mr. HARRISON. It will probably be more a little later, after April 1.

Mr. KIRWAN. After they get the \$2 increase?

Mr. HARRISON. Very likely.

Mr. O'NEAL. Do you think you can get by on this amount of \$482,160?

Mr. HARRISON. No, sir. We may have to ask for a deficiency. The amount for 1944 is based on \$5.88 per ton.

Mr. O'NEAL. That is not based on the \$5.88.

Mr. HARRISON. Yes; that is based on the \$5.88 which was the price being paid when the estimate was prepared for the Budget last fall. Since then the price has increased to \$5.94.

Mr. O'NEAL. We thank you very much for your statement, Mr. Harrison.

TUESDAY, MARCH 9, 1943.

LIBRARY BUILDING AND GROUNDS

STATEMENTS OF DAVID LYNN, ARCHITECT OF THE CAPITOL;
CHARLES A. HENLOCK, ADMINISTRATIVE OFFICER; WILLIAM C.
BOND, SUPERINTENDENT OF BUILDINGS, LIBRARY OF CONGRESS;
AND H. B. SOMMER, ELEVATOR ENGINEER

SALARIES

Mr. O'NEAL. We will now take up the items for the Library buildings and grounds, on page 82 of the committee print. The appropriation for 1943 was \$93,570, the estimate for 1944 is \$98,340.

Do you care to make a statement about the mechanical and structural maintenance, Mr. Lynn.

Mr. LYNN. Under this heading, Mr. Chairman, three separate appropriations are carried annually, for salaries \$98,340; for salaries, Sunday opening, \$7,679; and for general repairs and so forth, \$40,890.

The items making up each of these appropriations are explained as follows:

For salaries of 54 employees the amount is \$98,340. For 1943, \$93,570 was appropriated, so there is a net increase of \$4,770.

The increases total \$6,160, as follows: \$240 of this increase is to complete in 1944 the 1943 within-grade promotions authorized by the act of August 1, 1941.

The balance of the increase, \$5,920, is to meet the legislative changes in salary ranges prescribed by the act of August 1, 1942. Of the total regular force of 54 employees, the salary rates of 44 were increased under this act.

Mr. O'NEAL. The gross increase of \$6,160 is offset by \$1,390 made available from the 1943 allotment for within-grade promotions, due to the adjusting of pay rates under the act of August 1, 1942, in lieu of making certain within-grade promotions under the act of August 1, 1941?

Mr. LYNN. Yes, sir. There is no other change under the "Salaries" appropriation item.

Mr. O'NEAL. What have you spent on this item for the first half of the present fiscal year?

Mr. HENLOCK. That amount is \$46,444. It will be greater in the next 6 months because there will be additional within-grade promotions come due in April and we will also have to meet the cost of the legislative changes in salary ranges for 6 months instead of 5 months.

Mr. O'NEAL. You have had a lot of turn-over over there?

Mr. HENLOCK. It has averaged about two vacancies.

Mr. O'NEAL. You think you will run very close to this figure for 1944?

Mr. HENLOCK. Yes, sir; plus the additional amounts required to meet both the 1943 within-grade promotions and legislative changes in salary ranges not covered in 1943. This being a straight-salary appropriation, there is no leeway, particularly since in asking for the increases for 1944 we have already deducted \$1,390 of the 1943 savings.

Mr. O'NEAL. What is the type of these employees? These notes do not exactly tell the story. What do they do?

Mr. HENLOCK. They include heating, ventilating, and air-conditioning engineers, plumbers, machinists, electricians, carpenters, painters, substation operators, sheet-metal worker, and general helpers. The force totals 54 employees.

Mr. O'NEAL. And also charwomen?

Mr. HENLOCK. No, sir; we do not have the domestic care of the buildings. We only have the structural and mechanical care.

Mr. O'NEAL. You require 54 men to do that?

Mr. HENLOCK. Yes, sir.

Mr. O'NEAL. How many have you got in a comparable building?

Mr. HENLOCK. In the United States Supreme Court Building we have 33, as compared to 54 in the two Library of Congress buildings.

Mr. O'NEAL. You have both the Library buildings?

Mr. HENLOCK. Yes, sir; we have both the main Library building, which was completed and occupied in 1897, and the Annex, which was completed for occupancy in November 1938. The Annex has been staffed on about the same basis as the Supreme Court Building.

SALARIES, SUNDAY OPENING

Mr. O'NEAL. The next item is for "Salaries, Sunday opening," for which the amount requested for 1944 is \$7,679. The appropriation for 1943 was \$6,768.

Will you explain that, Mr. LYNN?

Mr. LYNN. For this item there is an increase of \$911. Of this increase, \$561 is to meet changes in salary rates resulting from the operation of the act of August 1, 1942. The remainder of the increase, \$350, is to provide for one additional employee for the Sunday and holiday shifts. This employee, a mechanic's helper, is required to assist the elevator mechanic on the 2 p. m. to 10 p. m. shift, as the mechanic does not have a trained helper assigned to him during this period and must depend upon elevator operators, untrained in this line of work, to assist him in the performance of his duties. In the interest of safety, the mechanic should be provided with a trained helper, particularly to operate the controls of the elevators while repairs and adjustments are being made.

Mr. O'NEAL. What has happened that occasions the necessity for another employee? Has the work not been done?

Mr. LYNN. No, sir; that is not it. The mechanics do not want to work on an elevator with an untrained man operating it. They do not want to take the risk.

In all buildings outside of the Government, they require a skilled man to operate the controls of an elevator while a mechanic is working on it.

Mr. O'NEAL. Do you have that in the House Office Building?

Mr. LYNN. Yes, sir; we have helpers there.

Mr. O'NEAL. Trained helpers of the same type you mentioned? I believe a year or two ago you requested them.

Mr. SOMMERS. We have trained men now as helpers in our buildings. This request is only for Sundays and holidays and only amounts to \$350.

GENERAL REPAIRS

Mr. O'NEAL. The next item, on page 84 of the committee print, is for "General repairs, and so forth," for which the appropriation for 1943 was \$50,599. You are requesting \$40,890 for the fiscal year 1944.

We will be glad to have you make a statement about that, Mr. LYNN.

Mr. LYNN. For this item there is a decrease of \$9,709, due to the omission of a special nonrecurring item allowed for 1943—for renewing the copper cornice flashing of the main building. No increases are asked under this appropriation item for 1944.

The items making up this estimate, as compared with 1943, are:

	Estimate, 1944	Appropri- ated, 1943	1943, expended and obligated to Dec. 31, 1942
General annual repairs.....	\$8,500	\$8,500	\$2,626
Maintenance and repair:			
Air conditioning and refrigeration systems.....	3,300	3,300	2,146
Elevators.....	5,090	5,090	940
Renewing copper cornice flashing, main building.....		9,709	
Supplies and materials.....	12,500	12,500	4,520
Annual equipment.....	5,000	5,000	
Annual built-in furniture.....	5,000	5,000	
Care of grounds.....	1,500	1,500	2
Total expended and obligated to Dec. 31, 1942, of 1943 appro- priation.....			10,234
Balance available to June 30, 1943.....			40,365
Total estimate or appropriation.....	40,890	50,599	50,599

Mr. O'NEAL. It seems to me this could take quite an appreciable cut, judging from the experience you have had in the first half of the fiscal year. For instance, on general annual repairs you only spent \$2,626 for the first 6 months of this fiscal year. For maintenance and repair of air conditioning and refrigeration systems you have only spent \$2,146 for the first 6 months of 1943; for the maintenance and repair of elevators, you have only spent \$940 for the first 6 months of 1943, and you are asking for \$5,090 for 1944. For supplies and materials you have only spent \$4,520 for the first 6 months of 1943, and you are asking for \$12,500 for 1944.

Unless there is some explanation, those items could stand a substantial cut.

Mr. BOND. The reason that money has not been expended is principally because of the difficulty of securing priorities. It is almost impossible to get the material.

Mr. O'NEAL. That situation will probably obtain during 1944 also.

Mr. BOND. Possibly so.

Mr. O'NEAL. You have gotten along without being handicapped, even though you have not been able to get priorities?

Mr. LYNN. If we do not get repair parts, the equipment becomes progressively in worse condition and it will cost a great deal more when we do get the repair parts.

Mr. O'NEAL. For annual equipment you had an appropriation for 1943 of \$5,000, and for annual built-in furniture you also had an appropriation for 1943 of \$5,000, and you have spent nothing on those items for the first 6 months of the fiscal year. For the care of grounds you had an appropriation of \$1,500, but you have only spent \$2 in the first 6 months. Is the fact that you have not spent anything on annual equipment and annual built-in furniture because you cannot get the priorities?

Mr. BOND. Yes, sir; the built-in furniture includes bookcases, built-in recesses and equipment of that sort. In the Library the wood would either be black walnut or mahogany both of which are difficult to obtain at this time.

For the next fiscal year we cannot anticipate at present anything we will need in that line.

Mr. O'NEAL. What about the care of grounds, on which you have spent \$2 in the first 6 months out of an appropriation of \$1,500?

Mr. BOND. That is because the expenditures from that allotment are made in the spring for grass seed, fertilizer, and labor.

Mr. O'NEAL. What did you spend in 1942 on that item?

Mr. HENLOCK. We spent \$1,422.

Mr. SOMMER. Will you permit me to mention something about a question I was asked by Mr. Lynn, to state how much we would need for the next fiscal year for the maintenance and repair of elevators. When the 1944 Budget estimates were prepared, I asked to have included for elevators \$5,090, because I did not see my way clear to get along on a lesser amount. However, exercising every possible economy and holding our needs to an absolute minimum, I hope to get by on about \$4,000 this year and feel that on the same basis we can get along with about \$4,000 instead of \$5,090 for 1944.

Mr. O'NEAL. That is fine.

Mr. SOMMER. Of course, there may be some special matter we would have to attend to, such as when we had to repair a motor armature at a cost of \$529, which we could not take care of ourselves, and had to send to Baltimore for repair because we are not equipped with the facilities to do such work.

Mr. ANDERSEN. I would like to have more information for the justification of two items, for annual equipment and annual built-in furniture. I would like to know what they have spent for that.

Mr. BOND. The annual equipment is new equipment, such as new motors, new machines, and new compressors, something of that sort, to replace worn-out equipment. They are practically unobtainable now.

Mr. ANDERSEN. As to the annual built-in furniture, is not that something you can do without for a few years?

Mr. O'NEAL. He said we could take that item out this year.

TUESDAY, MARCH 9, 1943.

BOTANIC GARDEN

STATEMENTS OF DAVID LYNN, ARCHITECT OF THE CAPITOL; AND
WILLIAM A. FREDERICK, LANDSCAPE ARCHITECT AND HORTI-
CULTURIST

Mr. O'NEAL. Before we take up the estimate for the Botanic Garden, I think it will be interesting, Mr. Lynn, if you can tell the committee briefly how the Botanic Garden started; and also tell us what physical properties are included in the Garden, and what is the reason for the whole operation. I think a brief statement of that sort would be very enlightening.

Mr. LYNN. I will be glad to do that.

The United States Botanic Garden was founded in 1820 under the auspices of the Columbia Institute for the Promotion of Arts and Sciences, an organization which was the outgrowth of an association known as the Metropolitan Society and which received its charter from Congress on April 20, 1818. The Garden continued under the direction of this institute until 1837, when the institute ceased to exist as an active organization.

It remained abandoned until 1842, when it became necessary for the Government to provide accommodations for the botanical collections brought to Washington, D. C., from the South Seas by the United States Exploring Expedition of 1838-42, under the leadership of Capt. Charles Wilkes, placed temporarily on exhibition at the Patent Office upon return of the expedition in June 1842. The first greenhouse for this purpose was constructed in 1842 on a lot behind the Patent Office Building, under the direction and control of the Joint Committee of Congress on the Library, from funds appropriated by Congress, and greenhouse construction was continued during the 2 succeeding years. The collections of the exploring expedition were placed therein and put under the custodianship of the Commissioner of Patents by the Library Committee and remained thereunder until 1850, although the actual care of the botanical collection was under the supervision of Captain Wilkes, assisted by William D. Brackenridge, the horticulturist and assistant botanist of his exploring expedition.

In 1849 Congress authorized the construction of an extension to the Patent Office Building, and in order to allow for construction, it was necessary to relocate the Botanic Garden greenhouses which occupied the land adjoining the building and upon which the extension was to be erected. Such relocation was authorized by the act of May 15, 1859 (9 Stat. 427).

The site selected pursuant to this act by the Joint Committee on the Library for the relocation of the Botanic Garden was at the west end of the Capitol Grounds and was practically the same site as that occupied by the Botanic Gardens during the period it functioned under the Columbia Institute.

Action toward the relocation of the Botanic Garden to its present site was initiated by Congress on January 7, 1925 (43 Stat. 729), and the project—which was thereafter authorized by Congress by acts of January 5, 1927 (44 Stat. 931), and March 1, 1927 (44 Stat. 1262), and provided for a new site, the construction of new conservatories, and relocation of the gardens—was carried forward by the Architect of the Capitol under the direction of the Joint Committee on the Library.

The boundaries of the present site—squares 578, 576 east and west, and reservation B—are Maryland Avenue on the north, First Street on the east, Canal Street on the south, and Third Street on the west, and of reservations 6-C, 6-D, 6-E, 6-F, from B Street to South Capitol Street along Canal Street and of reservations 6-G, 6-H, 6-I along South Capitol Street from Canal Street to G Street—all in the southwest section of the city.

In addition, the Botanic Garden property also includes Poplar Point Nursery, located adjacent to Anacostia Park and containing 22.58 acres. Part of the nursery was acquired in 1926 under the provisions of the act of June 26, 1926 (44 Stat. 774), and part in 1935 by transfer from the Interior Department in exchange for reservations 6-K, 6-L, 6-M, 6-N, 6-O, 6-P, 6-Q, 6-R, 292, and 293 under the provisions of the act of May 20, 1932 (47 Stat. 161). Of this nursery area, a right-of-way 200 feet wide (approximately 1½ acres), adjacent to the Anacostia River, is reserved for a roadway for the use of the National Park Service.

Although the Botanic Garden began functioning as a Government-owned institution in 1842, the records indicate that it was not until 1856 that the maintenance of the Garden was specifically placed under the direction of the Joint Committee on the Library, and a regular, annual appropriation was provided by Congress (11 Stat. 104).

The legislation governing the employment of personnel at the Garden is set forth in the Code of Laws of the United States, title 40, section 216, which reads as follows: "There shall be a superintendent (Director) and assistants in the Botanical Garden and greenhouses who shall be under the direction of the Joint Committee on the Library" (17 Stat. 491).

At the present time the joint committee exercises its supervision through the Architect of the Capitol, who has been serving as Acting Director since July 3, 1934.

Mr. O'NEAL. Mr. Frederick, what is being done now at the Botanic Garden?

Mr. FREDERICK. Just at the present time we have, of course, our regular activities, and we have a display which is of great interest. We have a very fine display of azaleas, which is outstanding in this part of the country.

During the winter months we make it a point to have unusual displays of outstanding flowers for the general public and also for students of botany, school students, or other people interested in floriculture.

This display will be followed by an Easter display of lilies and other bulbous plants, such as tulips and hyacinths, including plants that bloom in the early spring of the year.

We have tried to get outstanding types of plants which we know will be of interest to the country, insofar as their being new is concerned, and something that the public themselves can grow possibly at home, in very small hothouses or in the ground.

During the summer months our work includes getting ready for the next year's shows.

Mr. O'NEAL. What about rare plants?

Mr. FREDERICK. We have fine collections of orchids, acacias, and other rare plants which we are adding to, whenever possible.

We also have very fine collections of orchid plants given to us through the courtesy of individuals, as a donation to the Government.

Mr. O'NEAL. What is the disposition of flowers you have down there which might be of use in hospitals or elsewhere?

Mr. FREDERICK. We have sent some flowers to Walter Reed, naval and other hospitals for members of Congress and servicemen; and also some to the White House since discontinuance of the White House greenhouses.

I might say we do have demands for certain types of flowers which we do not grow. We do not grow any roses.

Mr. O'NEAL. There are no sales?

Mr. FREDERICK. No, sir.

Mr. O'NEAL. Could better use be made of what you are growing down there by way of sending to hospitals and other places some of the flowers or plants you have there and thus getting a larger use of them than you now have? Is there much spoilage?

Mr. FREDERICK. Practically none.

Mr. O'NEAL. You have utility for all of them?

Mr. FREDERICK. For everything, yes, sir.

Mr. LYNN. I would like to say, Mr. Chairman, that last year, we had 377,801 visitors at the Garden—people who came to see the Garden and the exhibitions.

Mr. JOHNSON. In reference to these flowers, for the White House, how many do you send there?

Mr. FREDERICK. I can't give you any information on that, offhand.

Mr. JOHNSON. Could we not have in the record a statement of the number of flowers sent any place?

Mr. FREDERICK. We have a record for last year, of flowers going out and can approximate how many we have grown.

Mr. JOHNSON. Can we have any statement as to the number of flowers produced?

Mr. FREDERICK. Yes, sir.

Mr. JOHNSON. What is that statement?

Mr. FREDERICK. I will have to get that from our records.

Mr. JOHNSON. Would you put in the record a statement of the number of flowers you have produced and the disposition of them?

Mr. FREDERICK. I will be glad to do that.

Mr. JOHNSON. I would like to know how much we are spending to provide flowers for the White House. Our prominent visiting guests now all go to the Blair House. I wonder if any of these flowers go to the Blair House?

Mr. LYNN. I think you will find it is a very nominal amount. We do loan some palms and ferns to such organizations as the Congressional Women's Club; also for governmental functions.

We also loan Members of Congress plants for their offices, and when they need rehabilitating we have them sent back to the garden and take care of them. A good many Members like plants in their offices.

Cut flowers produced annually at the U. S. Botanic Garden; distribution made of such flowers, and estimated production cost

Approximate number cut flowers produced annually	\$68,000
Approximate distribution:	
White House	16,000
Hospitals	34,000
Capitol restaurants and the Congressional Club	18,000
Estimated Botanic Garden production cost:	
White House	535.00
Hospitals	1,150.00
Capitol restaurants and the Congressional Club	590.00
Total	2,275.00

SALARIES

Mr. O'NEAL. The first item for the Botanic Garden on page 86 of the committee print, is for salaries, for which the appropriation for 1943 was \$83,452. You are requesting \$84,793 for 1944.

I understand that \$720 of this increase is to complete in 1944 the 1943 within-grade promotions authorized by the act of August 1, 1941, and that the remainder of the increase, \$641, is to meet the

legislative changes in salary ranges prescribed by the act of August 1, 1942.

Mr. LYNN. Yes, sir; there are no other changes.

Mr. O'NEAL. What about the turn-over in the personnel of the Botanic Gardens?

Mr. HENLOCK. We would have to withdraw the increases asked for 1944, if the decision rests on the basis of the employment conditions that have obtained so far in 1943.

Mr. O'NEAL. How much turn-over have you had there?

Mr. HENLOCK. We have averaged three vacancies.

Mr. O'NEAL. For how long a time do they extend?

Mr. HENLOCK. When I say an average of three vacancies, I mean that when you add up the number of positions open every month for the 6-month period involved and divide the total by the number of months, you would have the average of 3 vacancies for the first half of the fiscal year.

Mr. O'NEAL. Your lapses would amount to about the salary of three men for 1 year. Your increases, according to the justifications, amount to about \$1,361; is that right?

Mr. HENLOCK. Yes, sir.

Mr. O'NEAL. The salaries of three men would be considerably more than that?

Mr. HENLOCK. Yes, sir. The minimum rate is \$1,320 for the general laborers and assistant gardeners at the Gardens.

Mr. O'NEAL. That would cover about one of the lapses. In other words, it would be safe to take off a good deal of that?

Mr. HENLOCK. We have the same problem here as at the Library, in that this is an outright salary appropriation.

Mr. O'NEAL. I suppose if you had 48 people employed you would probably have continuous employment of 45. There is probably not so much absenteeism there as in some other places.

Mr. JOHNSON. Are there any deferments in this employment?

Mr. HENLOCK. No, sir; there have been none asked for any of the Garden employees.

MAINTENANCE, OPERATION, REPAIRS AND IMPROVEMENTS

Mr. O'NEAL. The next item, on page 87 of the committee print, is for maintenance, operation, repairs and improvements, for which the appropriation for 1943 was \$23,125. You are requesting the same amount for 1944.

Mr. LYNN. Yes, sir.

Mr. O'NEAL. How has this been running, as far as the fiscal year 1943 is concerned? You have the break-down on page 3 of the justifications?

Mr. LYNN. Yes, sir.

TRAVEL EXPENSE

Mr. O'NEAL. You have spent nothing for travel for the first 6 months of this fiscal year, although you have an appropriation of \$275.

Mr. LYNN. Yes, sir.

Mr. O'NEAL. Do you need any travel at this time for botanical purposes?

Mr. LYNN. Of course, from time to time we have to send our horticulturist to different nurseries in connection with the procurement of plant material. Last year we spent \$105 for this item.

TRANSPORTATION OF THINGS

Mr. O'NEAL. What about the item for transportation of things, for which you have spent nothing in the first 6 months of this fiscal year, and you are only asking for \$50 for 1944?

Mr. LYNN. That is an annual item. The expenditure varies somewhat from year to year.

COMMUNICATION SERVICE

Mr. O'NEAL. For communication service the estimate for 1944 is \$100, which is the same as the amount appropriated for 1943. Does that cover telephone charges?

Mr. LYNN. It provides for telephone service at the nursery, long-distance official calls, and official telegrams.

Mr. O'NEAL. You spent \$33 for the first 6 months of this fiscal year?

Mr. LYNN. Yes, sir; and \$75 last year, and \$92 the year before.

UTILITY SERVICES

Mr. O'NEAL. For utility services (electricity) the appropriation for 1943 was \$200, and you are requesting the same amount for the next fiscal year. You spent \$21 for the first 6 months of 1943. Is that for lights?

Mr. HENLOCK. It covers current for lighting, and electric power for the pumps at the nursery, which circulate water in the heating system, which is not the usual gravity type.

Mr. LYNN. We furnish electricity for the garden proper from the Capitol power plant. This expenditure is at the nurseries.

Mr. O'NEAL. There is no reason why that should run to a larger amount in the spring than in the fall, is there?

Mr. HENLOCK. Yes, sir; each year it generally runs from \$20 to \$50 for the first half, and over \$100 for the second half.

OTHER CONTRACTUAL SERVICES

Mr. O'NEAL. What can you tell us about the item for other contractual services for which the amount appropriated for 1943 was \$3,600, and for which the same amount is being requested for 1944. Of that amount you have spent \$967 in the first 6 months of this fiscal year.

What are these other contractual services?

Mr. LYNN. Other contractual services consist of two subitems, repairs and alterations, for which the amount is \$3,500, and miscellaneous current expenses, for which the amount is \$100.

Mr. O'NEAL. That looks to me like it is a high figure for the buildings you have there. Do you not think that could be trimmed, Mr. Lynn?

Mr. LYNN. No, sir; in 1941 we spent \$2,085 and in 1942 we spent \$3,996. In 1943 we have spent in the first 6 months \$952.

Ever since the severe flood in September 1942, the Poplar Point nursery has been under water, and extensive repairs to the roadways and structures will have to be made in the spring, or at such later date as the high water may recede. In order to meet the urgent expenses necessary to be made during the second half of the fiscal year 1943, it has been necessary to forego part of the expenditures usually made during the first half of the fiscal year for repairs and improvements.

Mr. JOHNSON. Is this a general situation there?

Mr. FREDERICK. No; I may say it is not. We have had an unusual year. During the past year we transferred for the duration of the war, approximately half of our nursery property to the Navy for war use.

Mr. LYNN. The transfer is only a temporary arrangement.

Mr. JOHNSON. If it is going to be under water, would it not be just as well to give it all to the Navy? You cannot grow plants under water, can you?

Mr. FREDERICK. Conditions are rather unusual down there.

Mr. JOHNSON. What did that condition do to the plants you had growing there?

Mr. FREDERICK. We lost quite a number.

Mr. JOHNSON. Can you not get a better location?

Mr. FREDERICK. The flooding of the nursery is a condition that is not likely to occur again. It has been remedied, and I doubt whether it will occur for many years, if ever again.

SUPPLIES AND MATERIALS

Mr. O'NEAL. The next item is for supplies and materials, for which the estimate for 1944 is \$8,025. Will you tell us about that, Mr. Lynn?

Mr. LYNN. This item is the same as the amount allotted for 1943. It provides all miscellaneous materials and supplies for the garden and the nursery, including coal, electric supplies, flower pots, and tubs, gas and oil for motor vehicles and tractors, hardware and tools, labels and boxes, manure and fertilizers, insecticides, fungicides, and scaleicides, medical and office supplies, paint, brushes, periodicals books and towels.

Mr. O'NEAL. You have spent an amount equal to the estimate in only 1 year out of the last 5. Do you not think that amount could be reduced? It is going to be very difficult to get those things.

Mr. FREDERICK. It is going to be very difficult to get some of them; but as you will note, we are spending at the rate of \$7,500 per year for 1943.

EQUIPMENT INCLUDING PLANT MATERIAL

Mr. O'NEAL. The next item is for equipment, including plant material, for which the estimate for 1944 is \$10,375. What can you tell us about that?

Mr. LYNN. This is the same amount that was allotted for 1943. It covers the purchase of all equipment, including plant material

for the main garden, the new conservatory and Poplar Point nursery, and there is a break-down on page 7 of the justifications.

Mr. O'NEAL. Do you think that item could be reduced, Mr. Frederick? Certainly at this time it will be difficult to carry this on as in normal times.

Mr. FREDERICK. We have spent at the rate of \$9,900 for the first half of this fiscal year, due largely to the increased prices now obtaining. This estimate of \$10,000 covers all items of equipment required at the garden and nursery; plant material, office equipment, tools, mowers, sprayers, hose, moss, soil, and miscellaneous equipment.

NONSTRUCTURAL IMPROVEMENTS AND STRUCTURES

Mr. O'NEAL. You have an item for nonstructural improvements and structures, for which the estimate is \$500 for 1944. What do you plan to build? It provides for filling, grading, fencing, construction of roadways around the hothouses and the nursery, curbing, and so forth. Will you have any of that going on this year, Mr. Frederick?

Mr. FREDERICK. It will be almost impossible to get some of those items which are contemplated under the estimate.

Mr. O'NEAL. It seems to me that should take a small cut too, should it not?

Thank you very much, Mr. Lynn.

MONDAY, MARCH 8, 1943.

LIBRARY OF CONGRESS

STATEMENTS OF ARCHIBALD MacLEISH, THE LIBRARIAN OF CONGRESS; DR. LUTHER H. EVANS, CHIEF ASSISTANT LIBRARIAN; HERMAN H. HENKLE, DIRECTOR, PROCESSING DEPARTMENT; VERNER W. CLAPP, DIRECTOR, ADMINISTRATIVE DEPARTMENT; DAVID C. MEARNs, REFERENCE LIBRARIAN; DR. ERNEST S. GRIFFITH, DIRECTOR, LEGISLATIVE REFERENCE SERVICE; JOHN T. VANCE, LAW LIBRARIAN; DR. HAROLD SPIVACKE, CHIEF, MUSIC DIVISION; JOHN MORIARTY, CHIEF, ACCESSIONS DIVISION; EDGAR F. ROGERS, DIRECTOR OF PERSONNEL; AND FRANCIS X. DWYER, ASSISTANT LAW LIBRARIAN

Mr. O'NEAL. We will take up this morning the items for the Library of Congress.

We have with us Mr. MacLeish, who is the head of what we consider the greatest library in the world, and several of his associates and assistants.

Mr. MacLeish, I think it might be well, inasmuch as most of the members of the subcommittee are new on this subcommittee, that you introduce the members of your staff and tell us who they are, so we may be able to identify them.

(Mr. MacLeish introduced the members of his staff as noted in the above heading.)

MR. O'NEAL. Mr. MacLeish, have you a general statement in reference to the work of the Library and its progress, which you care to make first, before we start our examination of the individual items?

MR. MACLEISH. Yes, Mr. Chairman, I would like to do that.

PRELIMINARY STATEMENT OF THE LIBRARIAN OF CONGRESS IN SUPPORT OF
THE LIBRARY'S ESTIMATES FOR FISCAL YEAR 1944

I should like to make one general observation about the estimates we present here today—an observation which has, I think, a special importance this year. The budget of the Government's Library differs from most other departmental budgets in this important particular—that it represents not only the cost of rendering a service but the cost of safeguarding an investment. A government library exists to render a service—an essential service—a service without which a modern government cannot operate effectively in peace or, even more, in war. But a library is also a collection of books and other materials representing an investment of value. And the first duty of those who are charged with the responsibility of administering a library is to safeguard and protect that investment for its owners—which means, in the case of the Library of Congress, for the Members of the Congress of the United States as the representatives of the people of the United States, present and future, to whom this Library belongs.

What the investment of the people of this country in the collections of the Library of Congress amounts to in dollars, it is impossible to say, because the value of the collections of the Library is quite literally beyond computation. Single items in the Library's collections are valued on the basis of actual sales at hundreds of thousands of dollars. The Gutenberg Bible, for example, was sold at \$250,000 before the Library purchased it. But other treasures in the collections are above all sales value, for they have never been sold and could never be sold. What, for example, is the value to the American people of the Constitution or the Declaration of Independence?

It is unnecessary to labor the point, except to say that what is true of these familiar treasures is true again and again throughout the collections. Among our early American imprints, among our maps, our music, our Chinese collections, our files of newspapers and periodicals, our Hispanic materials, our prints, our lawbooks, are volumes, pages, pamphlets, diaries, sheets of paper which exist nowhere else in the world, which cannot be purchased and which stand, therefore, above all value. Estimates have, of course, been made. Experts familiar with our holdings have valued them anywhere from \$50,000,000 to \$300,000,000. But we who have been through the difficult, the almost impossible, labor of selecting for special protection in time of war the most valuable parts of our holdings will perhaps be forgiven if we find these computations almost ridiculously inadequate.

We are, as a result of that work, more immediately familiar with the treasures of the collection than other librarians have been for half a century. We know what it means to be obliged to choose between the books and manuscripts and other materials of the Library of Congress. And though we have no means ourselves of putting money

values on the Library's holdings, we do know this—that if our holdings were destroyed or dissipated, it would be impossible to reassemble them at any price—more than ever impossible now that many of the great European collections have been dissipated or destroyed in whole or part—and, further, that the highest of the estimates I have cited would be totally inadequate to repurchase even such parts of the whole as would still exist in other hands—libraries or private collections or dealers' stocks.

Moreover—and this is a consideration forgotten even by the experts—the mere repurchase of the parts, even if they could be found and even if their holders would sell them, would not reconstitute the collection. A library collection is a mass of material reduced to order and made accessible and useful by a laborious and expensive process of cataloging and classifying, book by book. The catalogs and shelf-lists of the Library of Congress have cost many millions of dollars and many years of time. To reconstitute them would cost again many millions of dollars and many years, even many generations, of even costlier time.

The total investment of the people of this country in the collections of the Library of Congress is therefore an investment which compares, even in terms of dollars, with their richest investments in other and more visible properties. In other terms, in terms of the Library's usefulness to our generation and to the generations after ours which it will continue to serve—in terms, that is, of those truer and more human values to which this Republic is dedicated and for the realization of which it exists—the value of this investment is, I think, as great as any the American people, through their Federal Government, have ever made.

Our duty, then, as the administrators of this trust, is the duty of safeguarding and preserving this investment to the best of our powers, and making it as fruitful to its owners, through their representatives in Congress and otherwise, as it can be made.

I should like to speak briefly of the nature of these two duties. First, the preservation of the national investment in these collections. The preservation of the value of an investment in a collection of books differs from the preservation of the value of an investment in gold, say, or in buildings, or in arms or ships, in one important particular. A collection of gold can be preserved if it is kept physically intact and secure. An investment in real property can be preserved by keeping the buildings in repair. But the value of a library's collection of books can only be preserved if the collection is constantly increased.

It is not enough to keep the books bound, important as binding is. It is not enough to protect them from dirt and theft and loss and fire, essential as such protection will always be. It is necessary to keep the collection alive which means to keep the collection abreast of the developments of knowledge, the growth of learning, the lessons of history. A collection of books on chemistry having a value of a half million dollars in 1930 will not be worth a half million dollars in 1940 if the relevant and important new publications, or important old materials having a new significance, have not been added to it in the decade between. Its value, on the contrary, will rapidly decline until it becomes in effect a library curio—a sort of literary attic which

men will visit only out of curiosity. Collections of books, however far back along the history of civilization they may go, must connect themselves always with the living generation and with the latest year of the living generation or they lose their living usefulness. The connecting artery is cut.

To provide for the preservation of the collections of the Library of Congress means, therefore, to provide for their continuing and necessary increase and to provide for it from year to year. The necessary growth of a library cannot be deferred anymore than the necessary growth of a child can be deferred. If you do not grow when you should, your growth will be unsymmetrical and even distorted. If you do not buy when materials are available, you may never buy those materials—or you will buy them only at an excessive and unnecessary cost.

This is as true of times of war as it is of times of peace. Indeed, it is truer of times of war for two reasons. First, times of war are always times of historic significance—and never more than now. These years of American participation in the greatest of all wars are historic years in the life of the American Republic and everything which bears upon them—everything which can illustrate them to later generations—must be collected and wisely preserved. Secondly, wars are terrible destroyers of the records of civilization and the materials of science and learning, and it is therefore an urgent present obligation to secure in original or in copy important records which are available now but may not be available later. The Library of Congress offers today living proof of that fact. Its service to the Congress and to the Government in this war has been limited more than once by its lack of books and documents dating from the last war which the Library failed then to secure and has never been able to purchase since.

I should like to go into this question in greater detail under the appropriate heading of the estimates. Generally speaking, however, the situation is this: We are asking this year for the same appropriation for the purchase of books for the general Library collections and for the law collections which we requested but did not secure last year. We believe that this amount will take care of our current needs in the immediate future. Compared with the appropriation of other libraries for the same purpose, it is not, however, a large amount, and it is not, in our judgement, the amount which the Library of Congress should spend. It does not, in other words, permit the Library to purchase the materials it ought to purchase in those basic and substantial categories which constitute the greatness of a great library.

When the book markets of the world are again open—specifically, when the end of the war makes available the quantities of important books which, in the past, have been offered at such times—the Library of Congress should be prepared, we believe, to spend very much larger sums than it has ever spent in the past. Members of the committee will recall that the Harvard College Library reached its present distinguished position by the wise expenditure of very considerable sums of money in the period immediately after the last war.

However, we do not plan to present, by way of estimate at that time, a mere guess or hazard as to the amount of money we think

could be spent. We propose, and we are now preparing, to present a reasoned and carefully considered plan which will have in view not only the collections of the Library of Congress but the collections of the country as a whole. To that end, we are taking at this time two steps which we think will have very considerable importance. First, we have presented to the principal libraries of the country a plan for cooperative purchase which should avoid the unfortunate duplication and the excessively competitive buying abroad which took place after the last war. Second, we have worked out with other libraries, and are presenting here, a cooperative program for the completion, at the earliest moment, of the Union Catalog, in order that we, and other libraries, may know, before we begin to purchase extensively abroad, what materials are now part of the collections of the country's libraries, and what materials, which should exist in this country, are not now here. Of this second project, I shall have more to say in connection with the estimate for the Union Catalog.

The preservation of the value of the national investment in the Library's collections is not, however, a question of purchase only. The wise and effective increase of the Library's collections involves also the following steps: The selection of titles to be added; their purchase and the processing of vouchers; their cataloging so that each book may be represented by a card giving essential information by which to identify it; their classification under the Library's system so that books on the same subject may stand together on the shelves for ready use; the printing of catalog cards (and the sale of these cards at cost to other libraries requiring them); the binding or other physical preparation of materials requiring it; the placing of the books on the shelves and the cards in the catalogs.

In none of these operations is the Library's output, with its present staff, adequate to the Library's duty. We are not, however, presenting at this time a request for the additional personnel which may eventually be needed. It is our hope that the added man-hours provided by the 48-hour week may make it possible for us to keep abreast of the demand, at least during the present critical period. Nevertheless, I should like to report to the committee briefly on the status of these various operations.

Selection of materials for acquisition means the continuing survey of the collections in all fields to find our present lacks, to decide on the relative urgency of needs, and to place orders. We have subject specialists, some of them provided by gift funds, in certain areas but not in others, and our order lists are therefore strong on one front, weak on another. We hope, however, to enlist volunteer assistance to a greater extent through the emergency and to extend our coverage without asking at this time for additional experts who would be, in any case, difficult to find.

In the business operations connected with purchase, and particularly in the processing of vouchers, we have fallen seriously behind. On February 24, there were approximately 700 unpaid invoices more than 30 days in arrears, a few dating back as far as April 1942. Although some 40 to 50 percent of these are being held awaiting receipt of the material—the record is very unfavorable. The principal cause of this situation is the excessively high turn-over, particularly in lower paid brackets. The Library, being a legislative establishment, is not pro-

tected by the civil service "freeze," and since Library pay has been generally lower than pay in executive departments and agencies (the Library reclassification begun 2 years ago is not yet complete), Library employees have left in large numbers for better paid positions downtown.

The present rate of turn-over for the Library as a whole is 68 percent (counting only appointments from outside the Library and not transfers within) and the Accessions Division, which places orders and processes vouchers, has suffered heavily. We have attempted to deal with this situation by temporary details of employees from other divisions, and we have cut the lag in payments somewhat by this means. We hope to be able to hold on with our present staff and with the increased hours, and we are therefore asking for no additional personnel here.

The situation in cataloging is the same and for the same reason. The problem here is a double problem—to keep up with current accessions and to cut down the enormous arrearage of old unprocessed material of which I spoke in my first report to this committee. Thus far, we have made little or no impression on the arrearages, and though we are far more nearly abreast of current acquisitions than we have ever been before, we are not yet even with them. Here again, I should like to report more fully on our cataloging situation in connection with our estimates for that purpose, but I can sum up the situation here by saying that there are still large portions of our annual acquisitions which we are unable, with our present staff, to catalog in full as we should like to catalog them.

This is not, needless to say, a satisfactory situation. The number of new cards produced by the cataloging divisions has increased from 40,887 in 1939 to 58,031 in 1941 and 65,166 in fiscal 1942, but no such rate of progress will meet the heavy pressure under which the divisions work. Only a large increase in the staff or a radical, not to say revolutionary, drop in cataloging requirements can bring processing output up to accessions pressure. We believe that something can be done by simplified or short cataloging for certain categories of material, but we do not hope that simplified cataloging in the categories where it is appropriate will solve our problem. Sooner or later, we will be obliged to present estimates for added personnel.

We are not, however, presenting such estimates this year. We hope to hold our present position and, if possible, to improve it by administrative improvements, counting on increased man-hours to balance the evil effects of labor turn-over. How evil those are will be indicated by the experience of one unit, the Card Preparation Unit. In the last 6 months of 1941, this unit averaged 50 cards per hour. In the first 6 months of 1942, due directly to loss of experienced people, the average dropped to 40, in the last 6 months of 1942 to 35, and in December 1942 to 28. The training period in this unit is 6 months. At present, less than half the staff of the unit has served with it as much as 6 months.

It remains to speak briefly of the physical preservation of the collections, and specifically of their binding. Here we are requesting the addition to the appropriation of the \$100,000 for binding withheld last year. The deterioration of books goes on in war as in peace, and postponement of rebinding merely increases the damage and therefore the eventual cost. We estimated in 1940 that there

was a million and a quarter dollars of urgently needed binding to be done. The increased appropriation for binding in fiscal 1941 and fiscal 1942 enabled us to reduce this total, but the present arrearage cannot be less than \$1,000,000. We earnestly hope the former appropriation may be allowed.

Service of the collections.—I have spoken thus far of our estimates as they affect the preservation of the value of the national investment in the collections. The possession of these collections, however, imposes upon us, in addition to the duty of preservation, the duty of service. The Congress has not built up this great collection merely to possess it and keep it intact. It has built it up in order that it may be useful and, particularly, that it may be useful when it is most needed. Our records and our experience indicate that it was never more needed than it is today. Many of the most essential weapons for the fighting of this war are to be found in the technical, scientific, geographical, historical, legal and other collections of the Library of Congress. With the committee's permission, I should like to insert into the record statistics of use of the Library's collections by the War Congress, the armed services, and the various departments and agencies of Government directly concerned with the war. For the purpose of these remarks, it is perhaps sufficient to say that, in the opinion of those qualified to judge of such things, no library has ever been subjected to such pressing and difficult demands for service as the Library of Congress over the past 2 years.

It is clearly our duty to provide the service demanded. But here, as in the operations connected with the preservation of our collections, our present staff is not physically adequate to do what must be done. The Legislative Reference Service, for example, has been obliged by the pressure of work to decline important governmental requests. Some of them called for reports as important as: A History of the Industrial Mobilization Plan for the War Department; a study of conditions in a certain occupied country for OSS; a study of Uses Made of War Construction Projects After World War I for the executive offices; a study of Post-war Phases of Internal Security for the Department of Justice.

In the same way, the general reference services of the Library have found themselves unable to meet requests from the armed services and the war agencies. The Division of Bibliography, for example, has been unable to supply bibliographies on such important topics as black markets, alien property control, aluminum, military transportation, Corsica, and so forth.

In spite of this fact, we have followed the same policy in preparing our estimates here as we followed in connection with the preservation of the collections. That is to say, we have hoped that the increased man-hours provided by the 48-hour week would enable us to keep more nearly abreast of demands, and we have requested additional personnel only in two instances—the Division of Bibliography and the reading room. I will speak of these requests in greater detail under the appropriate headings.

May I add this one last word: Nothing could more fully justify, than our recent experience has already justified, the far-seeing wisdom of succeeding Congresses which determined that the people of the

United States should possess, in the Library of Congress, the greatest collection of manuscripts and printed materials which it was possible to assemble. Other legislative bodies have built up for themselves working libraries of greater or less importance. It remained for the Congress of the new American Republic to imagine and to create for its own use, and for the use of the citizens of this country, a library which has become, within the lives of men now living, one of the three or four greatest libraries of the world, and which is now, perhaps, the greatest.

No one who has had the privilege of working in the Library of Congress can help but feel the profound and sincere and disinterested gratitude to the successive Congresses, past and present, which we now feel. The Library of Congress is, as we are proud to say, the Library of Congress. It is also a Library for Congress—and through Congress for the Government and the people. But no one who knows it ever forgets that it is also a Library by the Congress—a Library which the Congress has conceived and created. I think it is only fitting at this time, when the tremendous importance of your Library to the Government and to the country has been so clearly manifested, that we should recall this fact.

RESEARCH WORK FOR WAR AGENCIES

Mr. O'NEAL. I presume much of the work done by the Library now being done in connection with the war is of such a confidential nature that you would not care to spread it in the hearings; is that correct?

Mr. MACLEISH. That is true of a good deal of it.

Mr. O'NEAL. However, the Library is busily engaged at all times on research work for the various war agencies, and many of the other departments of the Government; is that correct?

Mr. MACLEISH. That is true, Mr. Chairman.

Mr. O'NEAL. Will you give us a statement as to some of the types of work you are doing?

Mr. MACLEISH. Yes, sir, I can. I think I can make this general point as regards researchers actually working in the Library, both congressional and governmental. The number increased from 57 in 1939 to 202 in 1940, 470 in 1941, and 612 last year.

The number of conferences that the members of the Library staff have held with investigators from Congress or Government agencies shows a 44 percent increase.

We are providing services not only for the Federal agencies in Washington, but also for such outlying Federal agencies as the Coast Guard Academy, the Edgewood Arsenal, the Air Corps at Baltimore, and so forth and so on.

Perhaps the best indication I can give you of the kind of thing we do is to refer to a few of the bibliographical lists which the Division of Bibliography prepares.

The Division of Bibliography, at the request of war agencies, has prepared glossaries of military and technical terms, a bibliography of certain French African colonies, also a bibliography of Spanish and Italian colonies in Africa, a bibliography of French North Africa, of British Malaya, and British North Borneo, and also of the Belgian Congo, of Australia and Turkey. That division has also prepared

bibliographies of the St. Lawrence navigation and power projects, of defense financing, and so forth.

There is one very interesting point that perhaps indicates the sort of way in which a library can operate in this regard better than anything else I can refer to. I am referring now to the usefulness of the Union Catalog, which is a catalog which shows where in the United States you can find any particular title that may be desired.

There is also shown in the justification of our estimates a list of publications and reports of the Legislative Reference Service which I think will give a picture of the sort of thing we are doing. The law library is engaged in the same sort of activity.

MR. O'NEAL. What about the geographical set-up for studies?

MR. MACLEISH. That is very interesting indeed. It is best illustrated by what has happened in reference to maps.

MR. O'NEAL. The work of the Library is pretty well known, but its operation in relationship to the war effort is of such importance that it might be well to put that on the record, because a good many people do not realize the importance of that work.

MR. MACLEISH. The map circulation was running around 1,000 or a little bit more—1,088—outside of the Library prior to the war. It jumped to 8,500, and now it is running at an annual rate of 14,400. It has increased about 14 times. That does not take into account the use of maps made by a number of governmental researchers who work in the Maps Division.

MR. O'NEAL. In reference to maps of the Malay States, New Guinea, and so forth, is work of that sort being done, trying to locate the best maps of that section?

Has that been done during the war?

MR. MACLEISH. Most of the activity of the staff of the Maps Division is now directed toward an attempt to authenticate the most valuable maps. That Division works very closely with the War Department and the State Department for that purpose. It is practically now a part of the War Department, working much more for the War Department than for anybody else.

MR. O'NEAL. What about the translation of Polynesian tongues and other Asiatic tongues?

MR. MACLEISH. The best indication of that is in the work of the Orientalia Division, as it was formerly called, or the Asiatic Division as it is now called.

The Asiatic Division is practically in continuous use by the Army. The Army has moved a unit of about 20 people into the Library, where it is working right beside the Asiatic Division in order to get the advantage of Chinese materials and translations, which are available from the Division.

The Asiatic Division as a whole is working almost entirely for the armed services, but it is also fairly heavily used by Congress.

SECURITY OF COLLECTIONS AND MATERIALS

I should like to say a word also about precautionary measures taken for the security of the collections.

We started out about a year before Pearl Harbor to try to make selections of material that we regarded as of such importance as to put in safe storage.

This committee suggested 2 years ago that we should give very careful thought to the re-location of the Declaration of Independence and of the Constitution, and the copy of the Magna Charta deposited with us by the British Government, and also the copy of the Gutenberg Bible.

(Discussion off the record.)

We have moved ——— boxes boxes of material away from Washington. We were given two appropriations totaling \$130,000, and we have moved that material out under guard. It is kept under a 24-hour guard.

We have also moved our whole Union Catalog down to Virginia, where it still functions and can be used.

At the present time, if the hazard does not increase we think we are in pretty good shape. We may have to move more material if the hazard increases.

We are doing one thing which I want to report to the committee. I have talked about it to the chairman, not that I asked him to share the responsibility, because it is my responsibility, but we have decided to bring back to Washington for the Jefferson dedication the Declaration of Independence and the Jefferson papers.

Mr. JOHNSON. What was the cost to move them out and put them back?

Mr. CLAPP. The cost of moving them back was \$145.46 for that one portion of the move.

Mr. MACLEISH. They were already boxed, so we did not have to do that again. That most expensive work was taken care of.

Mr. JOHNSON. I presume they were boxed.

Mr. MACLEISH. They were still in the boxes.

Mr. JOHNSON. It would cost you something to take them out of a box and handle them, would it not?

Mr. MACLEISH. Our staff will do that.

Mr. JOHNSON. Then you will re-box them and send them back again?

Mr. MACLEISH. Yes, sir.

Mr. JOHNSON. I understood you to say it cost \$130,000 to make this move altogether.

Mr. MACLEISH. No; we had two appropriations totaling \$130,000, and of that amount there is left about \$70,000, I believe.

Mr. CLAPP. The total expenditure was \$57,000, and the total amount left is about \$70,000.

Mr. JOHNSON. So, instead of costing \$130,000——

Mr. MACLEISH. So far it has only cost us considerably less than that, about \$57,000.

Mr. CLAPP. As of January 31, 1943, it cost \$57,682.69.

Mr. O'NEAL. You might explain the purpose of bringing it back now.

Mr. MACLEISH. It is brought back first for exhibiting the Declaration in the Jefferson Memorial at the time of the dedication. We are having built a heavy steel case with bullet proof glass and the Secretary of the Navy will provide a 24-hour marine guard. The document will be exhibited in the Memorial at the time of the dedication by the President and for a few days thereafter.

My feeling about it is that if there is any document in the United States which should be allowed to be exhibited to the people of this country at this moment, it is that document, and that we are justified under the present circumstances in bringing it back and making it visible for a few days.

Mr. PLOESER. It seems to me some sort of a copy might be used for that purpose without risking the Declaration itself.

Mr. MACLEISH. Of course, the utmost precautions will be taken so that danger shall not touch the document—not from transportation and not by bombs.

Mr. PLOESER. Or not by any shell?

Mr. MACLEISH. The document will be brought back under protection by the Secret Service; it will be kept under a marine guard; it will be in a container which will be altogether too heavy for a man to run off with, but which can readily be moved; that is, it could be picked up and moved to a place of safety if there were any indication of a possible raid on Washington, any warning of it.

(After discussion off the record:)

I recognize your point; I feel it very deeply. I feel it is a difficult problem. But in the eternal balance between the problem of security and the problem of use, it seems to me there are times when we really must take some chances in order to make these things really useful to the people, to whom they belong, when they need them.

Mr. PLOESER. That is true; on the other hand, there are very few people who will see this thing and they can be equally benefited by seeing a copy. I do not see why we should necessarily risk that document which in no way in the world can be replaced, to say nothing of the expense, which is probably secondary in a case of this kind.

Mr. MACLEISH. I think the expense will not be very great.

Mr. O'NEAL. I sort of felt the old Declaration of Independence sort of had a right to have an adventure here while this war is going on.

Mr. PLOESER. I think it has a right to be observed; I think it has a right to be read by all of the people of the Nation, and particularly the Administration; but I do not think it is necessary to risk its destruction.

DEFERMENTS OF PERSONNEL

Mr. O'NEAL. Mr. MacLeish, I would like to ask you—which we are asking of every department—what deferments have been asked for in the Library from military service, if any?

Mr. MACLEISH. We have asked for two deferments and two temporary deferments.

The two temporary deferments were in the past. The subject of one is now in the armed services. He was deferred for 1 month while his successor was selected. The subject of the other was a deferment for a couple of months during Mr. Vance's absence in South America. That deferment is now over, and he has been classified.

There are, therefore, two deferments remaining. They are both engineers in the recording laboratory in the Music Division, and their deferment was requested by the War Department because of the importance of the work that laboratory was doing.

Mr. O'NEAL. They are specialists in that branch, are they?

Mr. MACLEISH. Yes, sir.

EMPLOYEES PAID FROM GIFT AND TRUST FUNDS

Mr. O'NEAL. I would like to have for the record a list of all the positions and salaries which are paid in whole or in part from grant or gift funds, or from any other funds you have other than specific appropriations.

Mr. CLAPP. I can give you the list now, although I do not have the actual salaries. Do you want the salaries paid, also?

Mr. O'NEAL. I think it might be well to itemize that, if it is not too lengthy.

Mr. CLAPP. All right.

Mr. O'NEAL. Showing the amount of salaries paid from appropriations and the amount paid from gifts.

Mr. CLAPP. All right.

Employees paid from gift and trust funds as of Mar. 1, 1943

Division and position	Number of employees	Payments from		Total	Date of termination
		Appropriated funds	Gift and trust funds		
Accessions Division: Assistant for collecting fugitive materials	1.0	-----	\$1,800.00	\$1,800.00	Dec. 31, 1943.
Aeronautics Division: Chair of Aeronautics	.5	\$1,900	3,626.16	5,526.16	Indefinite.
Assistance to South and Central American libraries: Library technician (lent to National Library of Venezuela)	1.0	-----	2,600.00	2,600.00	June 30, 1944.
Consultant Service:					
Fellow in American Negro studies	1.0	-----	2,400.00	2,400.00	Aug. 31, 1943.
Fellow in war bibliography	1.0	-----	3,800.00	3,800.00	Oct. 7, 1943.
Consultant in Scandinavian culture	1.0	-----	2,400.00	2,400.00	Mar. 16, 1943.
Consultant in Germanic literature	1.0	-----	4,800.00	4,800.00	Dec. 31, 1943.
Consultant in French literature	1.0	-----	3,000.00	3,000.00	Jan. 31, 1944.
Consultant in Slavonic literature	1.0	-----	3,000.00	3,000.00	May 15, 1943.
Consultant in Spanish and Portuguese literature	1.0	-----	3,400.00	3,400.00	Indefinite.
Secretary	.5	-----	810.00	810.00	Aug. 31, 1943.
Descriptive Cataloging Division: Assistants	2.0	-----	5,200.00	5,200.00	Indefinite.
Experimental Study of Wartime Communications:					
Director	1.0	-----	6,000.00	6,000.00	Aug. 31, 1943.
Assistants	7.0	-----	17,100.00	17,100.00	Do.
Fine Arts Division: Chair of Fine Arts	1.0	5,200	2,900.00	8,100.00	Indefinite.
Hispanic Foundation: Assistant	1.0	-----	1,800.00	1,800.00	June 30, 1943.
Manuscripts Division:					
Cataloger	1.0	-----	2,500.00	2,500.00	Indefinite.
Preparator	1.0	-----	1,500.00	1,500.00	Do.
Chair in American History	1.0	5,400	3,200.00	8,600.00	Do.
Maps Division: Chair in Geography	1.0	5,400	3,274.28	8,674.28	Do.
Musie Division:					
Chief	1.0	4,800	3,200.00	8,000.00	Do.
Assistant Chief	1.0	3,300	400.00	3,700.00	Do.
Secretary	1.0	1,860	200.00	2,060.00	Do.
Recording Laboratory:					
Engineer	1.0	-----	3,500.00	3,500.00	April 1943.
Assistant engineer	1.0	-----	2,000.00	2,000.00	Do.
Netherlands Studies Unit:					
Director	1.0	-----	1,500.00	1,500.00	Indefinite.
Assistant director	1.0	-----	1,500.00	1,500.00	Do.
Secretary	1.0	-----	1,620.00	1,620.00	Do.
Photoduplicating Service:					
Director (serves also as director of union catalogs).	1.0	4,800	1,200.00	6,000.00	Do.
Assistants	17.5	-----	23,800.00	25,800.00	Do.
Rare Bookroom:					
Consultant in acquisition of rare books	1.0	-----	2,500.00	2,500.00	Feb. 28, 1944.
Bibliographer	1.0	-----	3,200.00	3,200.00	Dec. 31, 1943.
Secretary	1.0	-----	1,620.00	1,620.00	Do.
Reference Department Office: Gift officer	1.0	3,200	800.00	4,000.00	Mar. 15, 1943.
Total	56.5	35,860	124,150.44	160,010.44	

SALARIES, LIBRARY PROPER

MR. O'NEAL. If there are no further questions, we will turn now to page 89 of the bill and start with the item for salaries, Library proper, and which is presented in the justifications on page 3.

Now, the amount which you received in 1943 by way of appropriation was \$1,422,935. For 1944, you are requesting \$1,495,950. You also received a supplemental of \$9,680, which makes the actual amount requested for 1944 \$1,505,630. Is that right?

MR. MACLEISH. That is correct.

MR. O'NEAL. I think it might be well to place in the record the table on page 3.

MR. MACLEISH. All right.

Salaries, Library proper

Estimate:		Appropriated:	
1942-----	\$1,387,020	1942-----	\$1,327,835
1943-----	1,582,155	1943-----	1,422,935
1944:			
Budget-----	1,495,950		
Supplemental-----	9,680		
Total-----	1,505,630		

Appropriated for 1943: Legislative Branch Appropriation Act, 1943-- \$1,422,935
Increases requested for 1944:

1. Legislative changes in salary ranges under Public No. 694, 77th Cong-----	\$10,980	
2. Revised allocations under Classification Act of 1923 as amended:		
Included in Budget, 1944-----	\$10,515	
Supplemental estimate-----	9,680	
		20,195
3. New positions-----		51,520
Total increases-----		82,695
Estimate for 1944-----		1,505,630

EXPENDITURES OF CURRENT APPROPRIATION OF SALARIES, LIBRARY PROPER

MR. O'NEAL. You spoke of having a 68 percent turn-over: Does not that have the effect of reducing the actual expenditures by a considerable amount? And we would like to have the latest figure you have as to expenditures under "Salaries" for the fiscal year 1943.

MR. CLAPP. I can give you the expenditures up to December 31.

MR. O'NEAL. That is, for 6 months?

MR. CLAPP. For 6 months. The obligations were \$666,633.49, leaving an unexpended balance, as of that date, of \$756,301.51.

MR. O'NEAL. Do you anticipate your expenditures for the second half of the fiscal year 1943 will be approximately what you spent for the first half, or more?

MR. CLAPP. They will be much larger, sir.

MR. O'NEAL. Why?

MR. CLAPP. Because of the 10 percent additional compensation, and because of certain reallocations which have taken effect; because of certain legislative increases in salary ranges which were effective August 1; and also because of certain increases within grades which will become effective April 1.

Mr. O'NEAL. Do you anticipate there will be a balance of the amount which was appropriated to you, or that you will about come out even?

Mr. CLAPP. I am afraid we shall incur a deficit, because of the 10 percent additional compensation required by Senate Joint Resolution 171.

FUNDS TRANSFERRED TO LIBRARY OF CONGRESS FROM OTHER AGENCIES

Mr. O'NEAL. Another statement you might make on the record, or put in later, is in what respect the Library appropriation has been augmented by transfers of funds by agencies under the Executive branch of the Government; also, I think it might be interesting for you to show any funds you did have that you do not now have, as showing if the work of the Library proper has been impaired a little bit by not receiving what you did receive. In other words, give us the story of all funds received from other sources than from appropriations, showing the use of those funds; also where funds have been denied to you or will be denied in 1944 that you have had heretofore.

Mr. CLAPP. Yes, sir.

Mr. O'NEAL. You might make just a brief statement about that now for the information of the committee.

Mr. CLAPP. In a number of cases, other agencies have suggested to us work which they would like us to perform but which we were incapable of performing with our present staff.

Mr. PLOESER. Is that specifically for war work?

Mr. CLAPP. In every case, it has been either directly or indirectly connected with the war.

Mr. PLOESER. What do you mean by "indirectly"?

Mr. CLAPP. That is a matter of interpretation. I was thinking of the program of cooperation with American republics, which started before the war. That is an item under the State Department's appropriation, but funds are transferred from the State Department appropriation to the Library of Congress to carry on some four projects. Before the war, they were defense projects; now they are war projects.

Those projects involve small sums totaling in all \$35,000. Still larger sums, however, have been transferred to us by the Office of Strategic Services to maintain what we have called our "Division of Special Information," which is a division for digging out of the Library information required by the Office of Strategic Services. That has been going on for 2 years.

Mr. PLOESER. Does that service have to do with this information developed in Africa?

Mr. MACLEISH. No, sir; that did not happen to at that time.

Mr. PLOESER. Did it later?

Mr. MACLEISH. Oh, yes; that division is set up on a geographical basis. It has units designated as "Western European"; "Central European"; "British Empire"; "Russia"; "Far East"; "Pacific Areas."

Mr. PLOESER. In other words, then, pretty generally what you have described before as additional services of the Library have been provided for by Executive funds?

Mr. MACLEISH. The services I referred to were not. The service I referred to was performed by the Division of Bibliography and the

Union Catalogs. Mr. Clapp is now referring to furnishing particular services to the Office of Strategic Services, doing particular jobs for them.

Mr. PLOESER. What I want to know about is whether or not these services which you mention have been provided for by other funds.

Mr. MACLEISH. No, sir; they have not.

Mr. PLOESER. If they had been, then it was not an additional load on your funds.

Mr. CLAPP. The Division of Special Service is to provide information almost exclusively to the Office of Strategic Services.

(Following is the statement requested by Mr. O'Neal):

Funds transferred to the Library of Congress from other agencies

Division and purpose	Amount		Source
	1942	1943	
A. Available in fiscal year 1942; not available for 1943:			
Books for the adult blind: For the manufacture and repair of talking book machines for the blind.	\$60,500.00	-----	Emergency Relief (Work Projects Administration).
Music Division: For the preparation of transcriptions for radio broadcasts in Spanish and Portuguese.	3,000.00	-----	Department of State (cooperation with American republics).
B. Available in fiscal years 1942 or 1943; not available for 1944:			
Division of Special Information: To provide material for the Coordinator of Information (Office of Strategic Services) incident to collecting and analyzing information and data bearing upon the national security.	320,200.00	\$348,819.00	Coordinator of Information (Office of Strategic Services).
Reading rooms: To provide reading-room service for the staff of the Office of Strategic Services.	-----	23,633.84	Office of Strategic Services.
Legislative Reference Service:			
For a legislative reference service in behalf of the Office of Production Management and the War Production Board.	39,955.01	61,740.00	Office for Emergency Management.
For a legislative reference service in behalf of the Board of Economic Warfare.	-----	4,233.00	Board of Economic Warfare.
To provide abstracts to the State Department of significant materials relating to post-war problems.	-----	8,750.00	Department of State.
Documents Division: For the preparation of a Guide to the Official Publications of the Other American Republics.	5,100.00	12,000.00	Department of State (cooperation with American republics).
Music Division: For a survey of collections of Latin-American music and for the preparation of bibliographies of Latin-American music.	3,900.00	8,200.00	Do.
Law Library: For travel of the law librarian to the other American republics to investigate law schools and to search for legal materials for the law library of the Library of Congress.	2,900.00	600.00	Office for Emergency Management (Coordinator of Inter-American Affairs).
Hispanic Foundation: For travel expenses of Sr. Jorge L. Borges, noted Argentine poet and writer, from Argentina to this country and return, for a tour of the United States regarding American culture, life, and letters.	-----	3,000.00	Do.
C. Available in fiscal years 1942 or 1943; estimate submitted for 1944:			
Office of the Librarian: For the exchange of materials with the American republics.	6,000.00	6,000.00	Department of State (cooperation with American republics).
Hispanic Foundation: For the preparation of a Guide to the Fine Arts of the Other American Republics and for printing bibliographies and guides to scholarly materials in the Latin-American collections of the Library.	3,500.00	6,700.00	Do.

Funds transferred to the Library of Congress from other agencies—Continued

Division and purpose	Amount		Source
	1942	1943	
C. Available in fiscal years 1942 or 1943; estimate submitted for 1944—Continued.			
Music Division:			
For the preparation of albums of recordings for exchange purposes with the American republics.	\$3,000.00	\$5,000.00	Department of State (cooperation with American republics).
For the recording of folk music in the other American republics.	3,500.00	4,500.00	Do.
Law library: For the preparation of a Guide to the Law and Legal Literature of the American Republics and to establish a center of legal studies.	7,000.00	15,000.00	Do.
Total funds transferred from other agencies.	458,555.01	508,175.84	

ITEMS OF INCREASE IN ESTIMATE FOR SALARIES, LIBRARY PROPER

Mr. O'NEAL. I will be glad to have you explain the increases and decreases, if any there are, set out in the justifications beginning on page 4.

LEGISLATIVE CHANGES IN SALARY RANGES

Mr. MACLEISH. The first one is "Legislative changes in salary ranges under Public Law 694, Seventy-seventh Congress," \$10,980. This is made necessary as a result of increases of lower-grade salaries which are mandatory under Public 694.

Mr. O'NEAL. You have no choice, if you obey the law, but to pay that increase?

Mr. MACLEISH. That is right, sir.

Mr. O'NEAL. What is the next item?

SALARY RECLASSIFICATIONS

Mr. MACLEISH. The next item is "Revised allocations under Classification Act," which total \$20,195. The Civil Service Commission has undertaken, at the suggestion of this committee made three years ago, a survey of the classification of positions in the Library. Classifications there had fallen into obsolescence; there had been no thorough survey of them since 1923.

That procedure has been very slow. The reclassification is not yet completed; but, to date, the number of changes indicated by this total have been made and they are mandatory upon us under the Classification Act.

Mr. O'NEAL. Have you such a thing as meritorious promotions, Mr. MacLeish; if so, how many of those have been made?

Mr. CLAPP. No meritorious increases have been made, with one exception. That one exception was not on our rolls proper, that is, not paid for from funds appropriated to us, but was in a position paid from transferred funds from the Office of Strategic Services.

Mr. O'NEAL. I will ask you to include page 6 which itemizes your increases and where they are to go.

Mr. MACLEISH. Yes, sir.

ADDITIONAL POSITIONS REQUESTED—SALARIES, LIBRARY PROPER

Reference Department:

Asiatic Division:

1 P-1-----	\$2,000
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Bibliography Division:

2 P-2-----	5,200
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2 CAF-3-----	3,240
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Music Division:

1 P-4-----	3,800
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Reading Rooms:

3 SP-5-----	5,400
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5 SP-4-----	8,100
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3 CAF-2-----	4,320
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Total, 17-----	<u>32,060</u>
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Law library:

1 P-1-----	2,000
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1 SP-5-----	1,800
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1 SP-4-----	1,620
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1 CAF-3-----	1,620
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Total, 4-----	<u>7,040</u>
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Processing department:

2 P-2-----	5,200
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2 SP-5-----	3,600
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1 CAF 3-----	1,620
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Total, 5-----	<u>10,420</u>
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Administrative department:

1 CAF-5-----	2,000
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Total, "Salaries, Library proper," 27-----	<u>51,520</u>
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JUNIOR LIBRARIAN FOR ASIATIC DIVISION

Mr. O'NEAL. I will be glad, Mr. MacLeish, to have you explain the necessity for each of those personnel increases. The first is for the Asiatic Division.

Mr. MACLEISH. The first is a P-1 position at \$2,000, as junior librarian in the Japanese Section. In my general statement, I referred to services provided by the Japanese Section. That section at the present time has two people, and an additional assistant is very much needed to catalog and arrange current material. The current material in that division is being used almost entirely by war agencies and we give the service to them.

Mr. O'NEAL. Can you secure such personnel, or is it already there, now?

Mr. MACLEISH. I have to hesitate over my answer there. We thought we had found such a person and we were informed we had clearance from the Federal Bureau of Investigation on her, but Mr. Hoover now tells me he is not at all sure we should employ that particular person. We do need a person, though, because we have all been caught a little unprepared as to Japan. We have not enough language people in the country. The material is over there and we need to get to work on it. I think we can find somebody.

Mr. O'NEAL. You say this is largely due to the war and is for military and naval purposes; is that correct?

Mr. MACLEISH. Yes, sir.

ADDITIONAL PERSONNEL FOR BIBLIOGRAPHY DIVISION

Mr. O'NEAL. Let us pass to the next one, which is the Bibliography Division, where you are asking for additional bibliographers.

Mr. MACLEISH. We are asking for four additional positions. The staff of the Division of Bibliography consists of eight persons. There has only been one additional position there in the last 38 years. The function performed by the Division of Bibliography I think needs a word, and I would like to refer to it.

The Library of Congress, like all great libraries, maintains, of course, huge card catalogs. If you know what you want when you go in there, you can go to the catalog and get it, that is if you know the name of the author of the book or the name of the book. But if you are under great pressure as Members of Congress frequently are, or administrative officers of the government generally, or officials of the War Department, you need assistance. If you want to get at the pertinent material on a certain subject, not having the time to go and find out what a lot of authors say; and if you have not read and do not have time to read a large number of books to find out which are the good ones and which are the bad ones, then you need somebody to evaluate them for you. That is what the Division of Bibliography is doing, and doing very effectively. On page 11 of the justifications there are statistics given on the use of that division.

Mr. O'NEAL. Can you get trained people for that work?

Mr. MACLEISH. Yes, sir; we can get trained people for that. It is work which women can do; as a matter of fact, the Division of Bibliography is altogether women.

Mr. O'NEAL. I notice two of those are P-2 positions at \$2,600, and two are CAF-3 assistant clerks at \$1,620. What do the assistant clerks do?

Dr. EVANS. They are for typing and mimeographing and helping to run and get books.

Mr. O'NEAL. How many of that type are employed, if any, in the Bibliography Division at the present time?

Dr. EVANS. They have only one, and one messenger, and it means the bibliographers have to do a lot of their own typing, and that is the sort of thing we would like to get away from.

Mr. O'NEAL. Are you behind in the work of that division?

Dr. EVANS. They have to turn down a lot of work.

Mr. MACLEISH. On page 11-A there are samples of requests from war agencies turned down by the Division of Bibliography. For example, there is the Army Air Corps—meteorological information by geographic divisions. We were unable to do that.

Mr. JOHNSON of Indiana. Would it not have been more important to have done that, than to have prepared this one on the St. Lawrence Navigation and Power project?

Mr. MACLEISH. There is not any question about that, if we had the two requests before us at the same time. But the problem there is that you are at work on one thing and the next thing comes along.

and the problem is—Are you going to continue that, or are you going to jump from that to something that is more important.

Mr. JOHNSON of Indiana. Do you think the work you are doing on that is of particular benefit to the Government?

Mr. ANDERSEN. That is a question of how the Congressman from Indiana [Mr. Johnson] feels on that subject.

Mr. JOHNSON of Indiana. There is no question how I feel about that.

Would not the same thing apply to this one of "Defense financing"? Do you think you can give information to those charged with that responsibility that they do not now have?

Mr. MACLEISH. That is also a question of how the request comes to us. If the request comes and it is from the chairman of a committee or from a Congressman, we do not go into his reasons.

Mr. JOHNSON of Indiana. Do you give preference to that request over something that comes from the War Department or Navy Department?

Mr. MACLEISH (after discussion off the record): We have published canons of operation, Mr. Chairman, and those put requests from Congressmen first at all times, under any circumstances.

Mr. O'NEAL. And that is due to the history of the formation of the Library?

Mr. MACLEISH. Yes, sir. Mr. Johnson has put his finger on a very searching and appropriate question. I can only answer it by saying that when these people are well into a subject, even if the most important thing in the world comes along, they feel they ought to complete what they are doing.

Mr. JOHNSON of Indiana. Would it be proper to inquire for whom that was prepared?

Mr. MACLEISH. Yes, sir; I would be glad to find out for you.

Mr. JOHNSON of Indiana. And in the same way, the one on "Defense financing"?

Dr. EVANS. We will get that information.

Mr. JOHNSON of Indiana. And the one on "Sales tax."

Dr. EVANS. Yes, sir.

PREPARATION OF BIBLIOGRAPHIES

In response to specific requests directly to the Division of Bibliography or through the reference librarian the following bibliographies were prepared:

For the War Department:

- Certain French African colonies. 53 p.
- French North Africa. 67 p.
- Spanish colonies in Africa. 20 p.
- Italian colonies in Africa. 49 p.
- British Malaya and British North Borneo. 66 p.
- The Belgian Congo. 33 p.
- Australia. 101 p.
- Turkey. 11 p.

For Military Intelligence, G2, New York:

- Military and technical glossaries. 5 p.
- Selected list of dictionaries of abbreviations, contractions and symbols. 6 p.

For Office of Censorship: Foreign language-English dictionaries. 132 p.
 For Defense Savings Staff of the Treasury Department: Defense financing.
 40 p.
 For Director of Weather, War Department: Weather in relation to war. 24 p.

The lists on "Sales tax: United States and foreign countries" and the supplementary list on "The St. Lawrence navigation and power project" were issued to bring up to date earlier lists on subjects under discussion by the Congress. Prior to the increased demands on this Division from war agencies our general policy was to prepare lists of general interest especially on subjects under discussion by the Congress. A few other recent lists of this character include: Civilian defense, compulsory military training, conservation of natural resources, Federal income tax, neutrality, including freedom of the seas, Western Hemisphere defense.

ENGINEER FOR RECORDING LABORATORY OF MUSIC DIVISION

Mr. O'NEAL. We will pass to the next one, which is one P-4 position under the Music Division, \$3,800.

Mr. MACLEISH. This has reference to the general subject we had up in talking about deferments a moment ago. I will have to say a word to explain the recording laboratory. That laboratory was set up, as you will note in the justifications on page 12, by a gift from the Carnegie Corporation of New York for equipping and staffing a recording laboratory. The salaries were to be paid out of a revolving fund and the revolving fund was going to be supplied from the sales of copies of recordings in the collections of the Music Division to the schools and colleges throughout the country. That work has gone along and is going along very well and, but for the war, there is no question but that the revolving fund would have carried the personnel.

When the war started, however, the War Department came to the Music Division, to Dr. Spivacke particularly, and asked for assistance in making recordings. It asked for recordings by which to teach foreign languages to the troops going out on troop ships; they asked for recordings of general music programs, and so forth. Naturally, we did what we were asked to do; we provided the service and gave them what we had available. But that did not build up the revolving fund and the revolving fund shrank as a result. And if we are going to continue to provide that service to the Army, the Navy, and various agencies listed at the bottom of page 12 that have come to use for help, we are going to have to have one of those positions transferred to the Government roll.

Mr. O'NEAL. The revolving fund has brought in how much, say, in 1942, as compared with the expenditures?

Mr. CLAPP. I can give you the exact figures on that in the record.

Mr. O'NEAL. Suppose you just give it to us roughly, and put the exact figure in the record.

Mr. CLAPP. Roughly speaking, \$15,000 is the intake expected in 1943, as against an intake of about \$10,000 for 1942. The exact figures are as follows:

Status of recording laboratory revolving fund

	1942	1943, to Feb. 28
Balance in fund at beginning of period.....	\$1,787. 53	\$276. 89
Receipts during period.....	12,887. 72	11,504. 18
Disbursements during period.....	14,398. 36	9,795. 81
Balance in fund at end of period.....	276. 89	1,985. 26

Mr. O'NEAL. The grant was \$40,520.

Mr. CLAPP. That included equipment, and it included also \$5,000 as a revolving fund.

Mr. O'NEAL. That was just one grant?

Mr. MACLEISH. Yes, sir.

Mr. O'NEAL. And was not renewed each year?

Mr. MACLEISH. It was one complete grant.

Mr. O'NEAL. And you set up the organization then and had \$5,000 as an actual revolving fund?

Mr. MACLEISH. That is right.

Mr. JOHNSON of Indiana. In connection with war work in making recordings, do not the various war agencies have their own facilities for making their own recordings?

Dr. SPIVACK. No. I might say that I have been, since a year ago last summer, chairman of the Subcommittee on Music of the Joint Army and Navy Committee on Welfare and Recreation, which had as its first chairman Frederick Osborne, now General Osborne, in charge of special services in the Army, and I would like to make this statement off the record.

(After discussion off the record:)

Mr. O'NEAL. But your need for this additional employee is specifically for what purpose?

Dr. SPIVACK. For the war work.

Mr. PLOESER. It occurs to me these special services rendered the war agencies might well be paid for by the war agencies, instead of being charged to the normal budget of the Library.

Mr. O'NEAL. Are any funds coming in to you from any war agencies for purposes of this sort?

Dr. SPIVACK. We can bill them for the materials. What will happen is I will tell this concern to send the bill to the United States Marine Corps Quartermaster.

Mr. O'NEAL. But you do not have any actual funds supplied from other departments, from the Army or the Navy?

Dr. SPIVACK. No, sir; we do not have any funds of that sort, for those Arabic records sent to Africa. In this specific thing, the microphone plugs, I do not know what the bill will be; it may be a few dollars. If worst comes to worst, I will be glad to contribute that to the cause, because those boys might be ready to step into a plane, and it took hours and hours to find that.

Mr. PLOESER. All of that detail is very interesting, but there is one principle involved and that is this: If the Army requests specific work of your library for the war effort, I think, in a time like this particularly, where it is not the common run of reference work that you do for all agencies, the Army might allocate a certain amount of their funds for that service which you are rendering. I think as a common practice

that would not be true; but, as a war practice, I think it is the logical thing to do. I do not think it is fair to charge up to Mr. MacLeish's department these additional sums which go to indicate to the public and to the Congress that the Library of Congress is increasing its appropriation from year to year for services which are really demanded by the Army, the Navy, the Marine Corps, or any other war agency.

Dr. SPIVACKE. I am afraid I haven't made the situation quite clear. We do receive payments for completed records. However, one of the heaviest demands upon us is for the services of our engineer as a consultant. For this we do not receive reimbursement. If we are to continue to provide these services to the Army, the Navy, and so forth, we will need an appropriation for the position.

Mr. O'NEAL. What percent of your work do you think is being done for the Army and the Navy as compared to your ordinary normal work for those departments?

Dr. SPIVACKE. In the recording laboratory?

Mr. O'NEAL. No; general work. Would you say it has increased your job by 10 percent or 20 percent?

Dr. SPIVACKE. More than that. In the general division now we are trying to gear everything to the war effort all the way down the line.

Mr. O'NEAL. And you feel that the failure to have this employee is impairing that work?

Dr. SPIVACKE. In that specific case, yes, because it is so unusual. The Music Division happens to have through a peculiar set of circumstances, the technical help which was not intended to be used for that purpose.

ADDITIONAL PERSONNEL FOR READING ROOMS

Mr. O'NEAL. Thank you. Now, Mr. MacLeish, under the "Reading rooms" you are requesting additional personnel?

Mr. MACLEISH. What lies back of this request is the fact that the war has produced a curious situation in the demand for books. A great many agencies and individuals throughout the Government want the same books at the same time—and for very understandable reasons. The war effort focuses attention on contemporary material, to begin with. It requires the last word in technical literature, geographical publications, and economic publications. Everybody wants the same publications: Congress wants them; the executive agencies want them; the Army frequently wants them, and so forth. Now, the problem is one of making a limited amount of material available to all who need it. We get only one or two copies. A lot of it comes from abroad. The problem is to make the one or two copies go as far as they can possibly go. That means we have to know where the copy is at every moment, not only when we send it out on charge, which is relatively simple, but where it is in the Library, where you have four hundred and odd Government researchers doing research work on various studies, and where you have people going to the shelves, and so forth. And that problem of knowing where the item is at all times and the problem of getting it back from the present holder promptly, and reloaning it promptly, is what concerns us.

We have tried in the past, as the chairman knows, to have the most generous policy that we possibly could about loans, but recently we have tightened up and the executive agencies have been pretty sore about it. We have told them they could not borrow

books if they are 2 weeks in arrears on previous borrowings. Even so, the problem is extremely difficult. It is difficult with Members of Congress, who have a right to feel that they should be permitted to keep material until they are through with it.

The only solution we could devise was setting up a special shock corps to keep after the borrowers of these current materials, to know who they are, and to keep after them until they get them back.

Mr. O'NEAL. In that department, you feel you need three typists?

Mr. MACLEISH. The operations to be performed are described on page 16 of the justifications. The additional staff needed consists of three SP-5 assistants to locate books, required by congressional and departmental users, which are not on the shelves; five SP-4 assistants to search overdue charges and books claimed returned—that is, to go through the records of overdue charges and books which have been claimed to have been returned, but which are not, or cannot be found; and three CAF-2 typists to prepare the recall notices and correspondence following upon the searching.

Mr. O'NEAL. How many books on such charges do you suppose are outstanding at one time?

Dr. EVANS. I do not know the total of outstanding books.

Mr. O'NEAL. Would it run into the thousands?

Mr. MEARNS. Yes; it would be approximately 50,000 volumes out in normal times.

Mr. O'NEAL. How many men have you in the reading rooms now doing this type of work?

Mr. MACLEISH. On page 16, we state the present staff is three SP-5 and four SP-4 assistants at book charging and discharging desks, two shifts; one SP-4 searcher, one-half CAF-4 clerk-stenographer and one and one-half CAF-2 clerk-typists, preparing recall notices, and 2 CAF-1 assistants filing internal circulation charges.

Mr. O'NEAL. Could you give us a little more accurate estimate as to how rapid that work accumulates and how rapidly it is disposed of? In other words, if you have 50,000 books out at one time, how many would come in at one time, et cetera?

Mr. MEARNS. Sometimes as many as 3,000 books would be returned in a single day.

Mr. O'NEAL. Of course I realize you have no definite statistics, but how much would be by an automatic return, and how much would be as the result of a follow-up such as you require? Do you see what I mean?

Mr. MEARNS. Yes, I understand perfectly. You mean how many books would be returned as the result of special recalls?

Mr. O'NEAL. Yes; how many would come automatically, ordinarily, and how many do you have to get after, like you do me, sometimes?

Mr. MEARNS. They will probably send out each day about 50 recall notices and typewritten lists of books.

Mr. MACLEISH. Does that mean 50 books?

Mr. MEARNS. No; that means 50 lists to 50 bureaus. Sometimes there will be several hundred on a list; sometimes there would be only 2 or 3 titles of particular urgency.

Mr. GORE. Who would be the several hundred?

Mr. MEARNS. One of the war agencies, for example.

Mr. JOHNSON of Indiana. I wonder whether it would not be well to ration the services over there to what is needed for the war effort.

Mr. MACLEISH. We have pretty well done that, sir. The 2-week borrowing is a rationing of books in terms of time; and the general circulation, fortunately for us, has been dropping off. But our problem is to deal with this small number of books which are in demand all the time.

Mr. O'NEAL. You have, as I understand, 12 people at the present time, and you say that you need 11 more. Will you amplify that a little more for the record?

Mr. MEARNS. Much of the work is done by telephone. Many of the books are recalled by telephone.

Mr. O'NEAL. Will you give us a few more figures on that?

Mr. MEARNS. Yes, sir.

(The statement requested is as follows:)

STATEMENT SHOWING NECESSITY FOR ADDITIONAL CONTROL OF BOOK-BORROWERS' ACCOUNTS

The present situation with respect to lending of books by the reading room, indicating the ineffectiveness of the present staff for securing prompt return of the books, and the resultant inferior service to other inquirers, is shown by the following:

Books charged out per month (average)-----	12,000
Books returned per month within the "due" period, without special notice (average)-----	1,200
Overdue balance which must be recalled by special notice (average)-----	10,800

The backlog represented by the last item of the above table piles up at such a rate that there exists at any given period about 35,000 books which are overdue.

With the present staff this total cannot be cut down because we can circularize borrowers with recall notices only at the rate of about once a year.

For the reason that borrowing is usually conducted by telephone or mail, control is more difficult than in the case of public libraries. Moreover, the reading room is unable to compel compliance with its regulations by imposition of fines; and, in addition, the books of the Library are not equipped with book pockets, charge slips, etc., as are the books of usual public lending libraries.

The estimate for an additional 11 positions is intended to make it possible for the reading room to circularize each borrower at not less than monthly intervals with the purpose of—

- (a) Making the important books more quickly available to other inquirers.
- (b) Reducing the total number of books "out" at any one time.

ADDITIONAL PERSONNEL, LAW LIBRARY

Mr. O'NEAL. If there are no further questions, we will turn to page 17 of the justifications, to the item of the law library, for which you are asking for new positions, \$7,040.

Mr. MACLEISH. I will ask the law librarian to take over here.

Mr. O'NEAL. What are these four positions, Mr. Vance, if you please?

Mr. VANCE. Mr. Chairman, these are small positions. The largest is P-1, at \$2,000, a reference assistant at the reference desk, a shelf classifier, and assistant in the catalog files, and an assistant clerk. The last two are \$1,620 jobs.

It has been brought out before, but I think for the information possibly of the new members of the committee, it might be well to

say that the law library, which is one of the greatest law libraries in the world, was very much neglected for a great many years until 1930, when Chairman Will Wood, of Indiana, the chairman of the whole committee, inaugurated a more liberal policy, which has been followed by his successors, and has brought about an expansion placing it on a parity with some of the university law libraries and bar association law libraries throughout the country. That development, with the funds which have been provided over the years, has made the law library of almost the equal of the Harvard law library, which is the greatest in the United States and probably in the world.

But, of course, in the historic and the jurisprudential fields, there are still many gaps that we have which the Harvard law library does not have to fill.

And during all this time the staff has not increased in proportion to the development of the importance of the collections. It has always been very inadequate in comparison with the other libraries, such as bar associations and universities—just about half the size of some of them, which are much smaller and render considerably less service. For instance, even now the Harvard law library, with a greatly reduced student body—there are about 130 as compared with nearly 1,500 students before the war—they have a staff of 33 full-time and 10 part time. Our staff is 27 at the present time; and Michigan, which is another one of the larger law libraries, having ample funds from foundations and donations, has a staff of about 25. The Association of the Bar of New York, one of the more important bar association law libraries in the country, has a staff of 40 full-time and a number of part-time employees.

Mr. O'NEAL. Has your law library and its use increased greatly in the past year, and if so, to what is that due?

Mr. VANCE. It is due to the emergency; I mean the war services.

Mr. O'NEAL. What type of war services do you render over there that have increased very materially?

Mr. VANCE. Of course, the most important type of war service is getting the material into the library and onto the shelves, finding out what is being published, and selecting the material that we should have for the Congress and the courts.

Mr. O'NEAL. How has the war affected that? I should think that would be a normal sort of thing.

Mr. VANCE. Well, at least not normal, no; because the information is not available through the ordinary channels.

Mr. O'NEAL. Give us a concrete example.

Mr. VANCE. For instance, the Reichsgesetzblatt is the German serial or German law gazette which carries all the laws and administrative regulation of the German Empire and, of course, all these various occupied countries have gazettes as well, published in the various languages, and also in German; and in order to keep the Government up to date and informed on the legislative and administrative activities of those countries, we have to get, if possible, all of that material. We have been very successful in doing it by photofilm and by getting information from diplomats, Army officers and other liaison officials of the governments in exile.

Mr. O'NEAL. How does that happen to come under the law library of Congress? It seems to me, again, that that being a war activity,

it would not be of particular interest to the law library in normal times.

Mr. VANCE. Oh, yes; in normal times we have to have that information.

Mr. O'NEAL. I understand that as to substantive law that would be important and of interest to you, but I cannot understand why there should be this increase.

Mr. VANCE. Because that is a part of the legislation of those countries, and that is of enormous value to the Government.

Mr. O'NEAL. Can you be specific as to the cause of the increase, so that we can have some idea of the necessity for this additional appropriation?

Mr. MACLEISH. If I may interrupt there, Mr. Chairman, there are two instances that I think bear directly on the reference side.

The law library, for example, was called upon by the War Department, the Air Ferry Command, in connection with the construction of air bases throughout the world to work up a report on workmen's compensation laws. This was the only library in the country where that could be done.

The same thing comes up in connection with the flight of aircraft through a neighboring country. The Judge Advocate General's Office wanted the kind of study of the foreign laws that only the law library of Congress could provide.

Mr. O'NEAL. What you are asking for here is not research workers; it is more for clerical and mechanical assistants in the Library, as I understand it.

Mr. VANCE. Yes, sir. The work has gotten behind because we cannot render adequate service without these clerical workers. We are not asking for any increase in the number of research people.

Mr. O'NEAL. This is in connection with the mechanical handling of the material that you have there?

Mr. VANCE. Yes, sir.

Mr. O'NEAL. And it is accumulating?

Mr. VANCE. Yes, sir.

Mr. O'NEAL. And the accumulation is getting so that it is unusual, is it?

Mr. VANCE. Yes, sir; because we cannot keep our catalog files up to date; it is very difficult to keep the loose-leaf services up to date, and the placing of the books on the shelves which have to be classified. In all the mechanical operations we are behind.

Mr. O'NEAL. What is the most important part of this? Which one is the most needed?

Mr. VANCE. Mr. Chairman, they are all very much needed. If I should be asked to choose, I do not believe I could do so. We do not have a shelf classifier. That is an SP-5 position. I would hate to be put on the spot, though.

Mr. MACLEISH. I agree with you on that.

Mr. O'NEAL. I can understand how you feel about it.

Mr. VANCE. Of course you can understand that our work is so much more important and so much larger than that of any university library, even some of these larger eastern libraries; and yet our staff is very small in comparison with, for example the Association of the Bar, which serves the lawyers in New York, and which has about

200,000 volumes having 40 or more part-time people as compared with our 27.

Mr. O'NEAL. Thank you very much, Mr. Vance.

ADDITIONAL PERSONNEL FOR PROCESSING DEPARTMENT

Our next item is the "Processing Department."

Mr. MACLEISH. The job of the Processing Department can be summed up in this way: It has the job of getting material into the Library in a position so that it can be used. That means the placing of orders; getting the books in; cataloging them—which means preparing descriptive cards so that each book is represented by a card which describes it—classifying the book, that is fitting it into the Library system of classification, so that it goes to the right place in the Library; handling the binding and things of that kind, and then getting it on the shelves. In other words, it is the business operation of buying the book, and the technical operations of cataloging and classifying it, plus one operation which we perform and which no other library performs—that is, we sell our catalog cards at cost plus 10 percent to the libraries of the country; and that is a service of tremendous value to them. It gives them cards much more cheaply than they can produce them themselves.

Now, the amount of work to be done is indicated by some figures which I would like to give very roughly and quickly.

What do we take into the Library in the course of a year?

Mr. O'NEAL. Suppose you put that into the record.

Mr. MACLEISH. I will put that into the record later, if I may.

We take 850,000 issues of periodicals and other serials; 320,000 issues of newspapers; 200,000 books and pamphlets; 20,000 volumes and pieces of music; over 12,000 maps; some 3,700 prints, and uncounted numbers of manuscripts. For example, Senator Norris's papers come to us in bulk units, the units being a series of correspondence of tremendous bulk.

(The statement referred to is as follows:)

ACCESSIONS, FISCAL YEAR 1942

The total increase in the Library's collections in the fiscal year 1942, and the treatment accorded the materials received in the Library is represented by the following statistics:

Eight hundred and fifty thousand issues of periodicals and other serially issued publications, including Government documents. Currently these are being recorded at the rate of 720,000 pieces per year. We are confident that at the end of the 2-year special appropriation (1943 and 1944) the total intake of serial publications will be regularly recorded. From one-half to two-thirds of these have never been subject to the control of adequate records before.

Three hundred and twenty thousand issues of newspapers (983 foreign and domestic newspapers are received currently). Of these, approximately 115,000 issues (320 titles) were bound into 2,815 volumes. The remainder were discarded as no longer needed for current use.

200,000 books and pamphlets. Of these: 115,000 were fully cataloged and classified; 25,000 volumes were added to the collection of the Law Library, where they are available for use but not fully cataloged and classified; 25,000 trade, city, telephone, college, and other directories were added to uncataloged reference collections for service; 1,500 volumes were added to the books for the blind; 1,200 volumes were added to the Chinese and Japanese collections in the Asiatic Division; 2,000 volumes added to Slavic Division, uncataloged; 700 volumes added to Semitic Division, uncataloged; 12,000 pamphlets were arranged by author, but uncataloged; 17,000 volumes, approximately (the re-

mainder of the 200,000 volumes and pamphlets) to be cataloged were carried over into fiscal 1943; 20,500 volumes and peices of music, all cataloged, classified, or arranged on shelves by copyright number; 12,200 maps and views, arranged for use in the Maps Division, and partially cataloged; 3,700 prints added to the Fine Arts Division; uncounted manuscripts, added to the Manuscripts Division.

Mr. MACLEISH. Now, the Processing Department has to deal, roughly speaking, with that entire amount. They are dealing with it in this way: The 850,000 issues of periodicals, and so forth. Down to 2 years ago, when this committee very generously helped us to set up a Central Serial Record, a large part of that material was not recorded at all. Now, with a special 2-year appropriation which has been made, we are setting up records which are very rapidly reducing that to order. At the present time we are recording that material at the rate of about 720,000 items a year, and before the appropriation comes to its end we will be handling that whole bulk.

So far as newspapers are concerned, 320,000 issues means 983 different foreign and domestic papers. We keep permanently a little over a third. We keep 320 newspapers, and we bind those up into volumes. The rest we discard.

Then, of the volume material, the 200,000 books and pamphlets which come in—we are able at the present time to fully catalog and classify 115,000. Twenty-five thousand more go to the Law Library. Twenty-five thousand in addition to that are catalogs of various kinds which are, of course, very important for reference, and they are kept in bulk and are not cataloged. Other units go to special divisions. At the present time we have to carry forward about 17,000 units. The music goes to the Music Division, where it is classified, and the maps are taken care of in the Map Division, but the rest is handled in the Processing Department.

The Processing Department is very much behind, because it has suffered remarkably from the loss of experienced people. That has hurt the Processing Department more than anybody else, but we hope that with our 48-hour week we can hold ourselves abreast, and what we are asking for here is two groups of positions: That is, three positions for a single year to handle a problem which has never been attacked before; that is, cataloging microfilm.

A great deal of material coming from abroad is brought in now on microfilm.

Mr. O'NEAL. How many employees have you in the entire Processing Department?

Mr. HENKLE. There are 388 on the rolls.

Mr. O'NEAL. How many are there in this processing of microfilms?

Mr. MACLEISH. There are none at the present time in the processing of microfilm.

Mr. HENKLE. We have been assigning some people lately to work on the Russian material that has to be handled. Those are special details.

Mr. MACLEISH. During last year some 7,000 reels of film have come in. This year we have had over 6,000 reels in the first 6 months. That number of reels of film represents some four or five millions of pages of printed matter. This material is not useful until it has been cataloged. We need a special cataloging group of three assistants for

1 year to establish routines and procedures on which we can then keep going. We are asking for these three for 1 year to handle the war material that is coming in.

Mr. O'NEAL. So you intend to put these on in a temporary capacity?

Mr. MACLEISH. Yes, sir.

Mr. GORE. At a time when you were having an increase in the micro-film work, would that in itself indicate an increase in the processing in the usual manner?

Mr. MACLEISH. It indicates a decrease in printed materials coming in from abroad, but it does not indicate a decrease of materials going through, because we have been able to secure in this country at the present time printed materials which we require and which make up the full total that I have referred to.

As a matter of fact, we have had no decrease in printed materials going through the Processing Department this year?

Mr. HENKLE. No appreciable decrease at all.

Mr. MACLEISH. The second group that we are asking for, two SP-5 library assistants, are to search gifts. This problem may be briefly stated. The Library receives many gifts which comprise large numbers of books. We know the general subject, of course, when we accept the gifts, but we do not know the particular titles, and until a search is made we cannot tell whether these individual items are to be retained for the collections or rejected as duplicates. Meanwhile, until such a search is made, we do not know with completeness just what we do have, and it sometimes happens that we have bought books which were urgently needed but which were actually already in the Library. Similarly, the failure, due to an inadequate staff, to clear promptly requisitions for purchase—this requires an individual search in each instance to make sure that the book has not already been received by gift or otherwise—means that we waste time, and sometimes, particularly in South American orders, that we lose material; that is, we get the orders through too late to secure the materials.

The present staff consists of six people. They are clearing between 4,000 and 5,000 searches per month. There is, however, a normal influx of about 7,000; and we believe that these two additional assistants will enable us to reject requisitions for purchase which otherwise would cause us to purchase duplicates, and will enable us to secure items which otherwise we might lose.

SENIOR CLERK FOR PERSONNEL OFFICE

Mr. O'NEAL. Next we have the Personnel Office.

Mr. MACLEISH. The Personnel Office is requesting one CAF-5 senior clerk. The justification is this: In October 1942 the Civil Service Commission estimated that there was needed a pay-roll assistant for each 700 employees, as things then were. Since that time the work on the pay rolls has practically doubled. We have to work out the Victory tax, war-bond deductions, additional compensation, and so forth. We therefore calculate that we need a pay-roll assistant for every 400 employees. We ought to have, on that basis, four or five pay-roll assistants, and we now have two. The pressure of work has produced an overtime situation there which troubles me a great deal. I have tried to do what I could by detailing people there.

Mr. O'NEAL. How many have you in the Personnel Office now?

Mr. MACLEISH. Seventeen.

Mr. ROGERS. In addition to myself, there is the Assistant Director of Personnel, who assists me in the recruitment and replacement work; in the Correspondence Section there is the person in charge and two assistants, who meet the public and applicants; in the Record Section, there is the person at the head of the section and one assistant, who are engaged in recording the daily changes in personnel; there are two assistants engaged on leave records; and assistant recruiting officer, helping with the filing of applications and the correspondence in connection with applications; two assistants, one handling the general clerical work and one helping in the recruitment and replacement work; an assistant assigned to classification work; and in the Pay Roll Section there are two assistants, one in charge of the entire preparation of the pay roll, and one assisting in handling pay-roll changes and handling all the retirement and transfer records for the entire office. That includes not only the records of new employees transferred from other departments, but the records to be transferred; and with this tremendous turn-over there are seven or eight hundred records to be transferred each year, plus the regular staff records to be brought up to date pay day by pay day.

Lastly, there is a chief nurse and an assistant nurse.

Mr. O'NEAL. Thank you very much.

COPYRIGHT OFFICE

Next we have the Copyright Office.

Mr. MACLEISH. In the Copyright Office there are no changes except the changes imposed upon us by the legislative changes in salary ranges and revised classifications.

Mr. O'NEAL. The appropriation for 1943 was \$292,920, and the estimate for 1944 is \$294,100, the difference being due entirely to legislative increases and reallocations?

Mr. MACLEISH. That is right.

LEGISLATIVE REFERENCE SERVICE

The same is true of the Legislative Reference Service, reallocations imposing an additional \$4,000.

Mr. O'NEAL. I wish you would explain a little more about the Legislative Reference Service.

Mr. MACLEISH. The Legislative Reference Service, as its name implies, is a service maintained in the Library to provide Members of the Congress with reference and research work on Library materials, or materials of a library nature; that is, materials of record, and which are either in the Library or can be secured through the Library. The Legislative Reference Service thinks of its job as the job of providing any Congressman who wants it with any reference or research assistance. It is entirely nonpolitical, and it is the pride of the Service that it is nonpolitical.

The present Director of the Service has held very sedulously to that position.

Mr. JOHNSON of Indiana. Who is he?

Mr. MACLEISH. Dr. Griffith, who is here now.

The nature of the work done will, I think, be apparent to the committee if members of the committee will simply thumb through the pages from 29 to 47 of the justifications at their convenience. This indicates the kind of requests that come to the Legislative Service and require its principal reports. Now, of course, it does a great deal of work which does not appear in the form of reports. It will do work for an individual Member who wants a book, or an excerpt from a book, or excerpts from a number of books, and that will not appear as a report. These reports are either printed or mimeographed, either because of the extensive demand for them or because the original request came in that form.

Mr. O'NEAL. Doctor, can you indicate the number of books, pamphlets, articles, and reports listed in the justifications that were prepared at the request of others than Members and committees of Congress?

Dr. GRIFFITH. I cannot answer as to those particular reports, but the percentage from Members of Congress is about 82 percent of the total of all requests. The remaining 18 percent includes a few from the Judiciary and—

Mr. O'NEAL. How about the executive agencies?

Dr. GRIFFITH. Most of the remainder are for the executive agencies, but for most of those, in turn, we are compensated by working funds which the Office for Emergency Management and the Board of Economic Warfare give us. They do not fall upon the congressional appropriation.

Mr. O'NEAL. That is, in the number of requests and in the time expended, you think the same proportions would apply?

Dr. GRIFFITH. Approximately.

Mr. MACLEISH. I should like to take advantage of the chairman's question, if I may, to present very briefly a problem that we have had, and on which we are very eager to have advice.

The service exists. It is up to its neck. It has had to turn down requests, as I suggested in my opening remarks. At the same time, it is our impression that there are a great many Members of Congress who would use the service, and would like to use it, but who do not know what it can do for them.

Now, we are not in the business of advertising ourselves. We write every new Member of Congress as he comes in and tell him briefly what service the Legislative Reference Service is there to give. We do not advertise; we do not publicize the service; and yet we have a feeling that we could be more useful if the service were more broadly known; and that is a question to which we simply do not know the answer.

DISTRIBUTION OF CARD INDEXES

Mr. O'NEAL. The next item is "Distribution of card indexes," for which there is a slight increase of \$35 over the amount appropriated for 1943.

Mr. MACLEISH. That again is a legislative increase in salary ranges.

Mr. O'NEAL. Would you make a further statement about the distribution of card indexes and the income from it? First, how many are employed?

Mr. HENKLE. There are 126.

Mr. O'NEAL. Is there a large turn-over in that Division?

Mr. HENKLE. It is very bad.

Mr. MACLEISH. The turn-over in that Division has been terrific.

Mr. O'NEAL. I can understand, where you have so large a turn-over, how the appropriation would be used up in its entirety; but it seems to me that you could return more to the Treasury with the greater number of lapses. Is that due to the 10 percent?

Mr. CLAPP. It is due in part to the 10 percent, but in part to the fact that the work requires that the positions be filled. So as soon as one person resigns, we start looking for another person to fill his place, and before his leave has expired we have probably got hold of a new employee.

Mr. O'NEAL. You have to find somebody within 30 days; is that it?

Mr. CLAPP. That is right.

Mr. HENKLE. There were 24 resignations from the Card Division from February 21 to March 6.

Mr. MACLEISH. I would like to report briefly on the activity of this Division, because it is an interesting activity.

We are now able to tell you precisely whether this Division operates at a loss or a gain to the United States Government. That matter, as the chairman and Mr. Johnson will recall, has been up here before.

The Card Division sells at cost plus 10 percent, and the theory is that it is going to be run at cost. The money is turned back to the Treasury. We do not get it. But taking the Government picture as a whole, with an appropriation of \$234,125, there has been covered back into the Treasury about that amount.

The question has been mooted back and forth, and I asked the General Accounting Office 3 years ago to see if they could not work out for us a cost accounting system. They have now done that. This system is now in operation; forms have been introduced, and we have the answer.

The cost accounting analysis for the period from July 1 to December 31 shows that in order to clear cost plus 10 percent we shall have to increase our charges by \$0.005, or half a cent, per card.

Mr. ANDERSEN of Minnesota. I was very much interested in watching that operation on a recent visit to the Library. Even with that little addition to the cost, the outlying libraries cannot make the cards any more cheaply, can they?

Mr. MACLEISH. I am going to ask Mr. Henkle to tell you about that.

Mr. HENKLE. The libraries that buy these cards get a service that is more than just the cards themselves. They cannot only buy the cards themselves for less than they could produce them; but in addition they get the information which the cards provide about the books and which their catalogers consequently do not have to dig out.

Mr. MACLEISH. The preparation of the catalog cards involves all the tremendous amount of technical work that goes into the cataloging of the books; and each library would be compelled to do this cataloging for itself if you people had not made it possible to buy the cards for a few cents.

Mr. ANDERSEN of Minnesota. Could you not charge them a little more?

Mr. MACLEISH. The statute says "Cost plus 10 percent."

Mr. O'NEAL. Does this personnel in the distribution of card indexes do all the work on the preparation of the card indexes?

Mr. MACLEISH. No, sir.

Mr. O'NEAL. Where did the General Accounting Office start from, so far as the cost is concerned?

Mr. CLAPP. They started from the point at which the book was already cataloged by the Library of Congress.

Mr. O'NEAL. In other words, under the recent law you could increase that charge?

Mr. MACLEISH. The view of the General Accounting Office was that we would have to bear the cost of the cataloging anyway.

INDEX TO STATE LEGISLATION

Mr. O'NEAL. Now we come to the index to State legislation.

Mr. MACLEISH. Here we have only the cost of the reallocation in 1942.

Mr. O'NEAL. In 1943 you received \$37,960, and for 1944 you are estimating \$37,760.

Mr. MACLEISH. That is due to the elimination of the item for reallocations in 1942 made immediately available.

Mr. O'NEAL. Because you did not need it, and therefore the net amount is reduced \$200?

Mr. MACLEISH. Yes, sir.

Mr. O'NEAL. Will you explain a little bit about the index to State legislation? There is a great deal of comment on that, as you know, in Congress, and I think a little explanation from your viewpoint would be appreciated. Will you explain about the work of the State index?

Mr. MACLEISH. I would like to ask Dr. Griffith to give his view as to the necessity of that work in connection with State legislation, if he has a view about it.

Dr. GRIFFITH. It performs several principal functions, of which the chief is to furnish the only index of State legislation in existence anywhere in the country. Its service is of very great value to State legislators in connection with their legislation and also is of service to lawyers and other students. I have a copy here if any of you gentlemen are interested.

Mr. O'NEAL. That is the State Law Index?

Dr. GRIFFITH. Yes, that is the State Law Index. That is the first and most important service.

Mr. O'NEAL. Let me ask you about that. How many copies are made of that, how many are sold, and what have been the monetary returns of the sales?

Dr. GRIFFITH. I think I would rather insert that in the record. The sales are approximately 40 percent above those of 2 years ago.

Mr. O'NEAL. Will you put a statement in the record in reference to the sales in the last 3 years, and if you can, show the different classes of people buying the copies and using the information, and also give the monetary returns from those sales. That is in reference to the State Law Index.

I would like to have you do the same thing in connection with State legislation.

(The statement is as follows:)

Printing, distribution, and sale of the State Law Index

	Copies printed for the Library of Congress and distributed under the statute (2 U. S. C. 164, 164a)			Additional copies printed for sale by the Superintendent of Documents		
	Printed	Distributed	On hand	Printed	Sold	Receipts
Vol. 6 (1936-37) published 1938.....	300	280	20	499	205	\$256.25
Vol. 7 (1937-38) published 1940.....	300	287	13	526	225	337.50
Vol. 8 (1939-40) published 1941.....	300	218	82	329	1 243	364.50

¹ Sales to date. The sales at the corresponding date (Mar. 1, 1941) for vol. 7 were only 160, thus indicating a possible 50 percent eventual increase in sales of vol. 8 over vol. 7.

The index to State Legislation was established by a special act of Congress in 1927, upon representations by State governments and others that such an index was needed. The act provides that the index shall be printed and bound for official distribution. Copies are sent under this authorization to the State agencies who cooperate in assembling the data, and to Federal agencies having official interest in State legislation. Additional copies are sold by the Superintendent of Documents (these sales show an increasing tendency) but no record is kept of the purchasers.

The index is a valuable tool for agencies of the Federal Government concerned with State legislation and for the State legislative reference services, who work for the legislatures.

The Index is the only complete record of State legislation in existence. If it were not provided by the Library of Congress, some other agency would have to undertake it. For Congress, it is the means whereby precedents can be located for contemplated national legislation. During the past year examples of such inquiries included the regulation of labor unions, relief for contractors in a period of rising prices, qualifications for voting, soil conservation, and precedents for separate legislative committee on aviation. Recently, also, the index furnished material for a congressional document outlining the procedures in the different States for obtaining birth certificates. It is also consulted frequently on the marriage and divorce laws of the various States, on absentee voting for men in the armed services, and workmen's compensation.

Volume 7 of the Index covered 11,434 State laws and volume 8 covered 12,608.

Dr. GRIFFITH. Most of the copies of the State Law Index are distributed to the States without expense to them, and to depository libraries. The major part of the use is made in the State libraries themselves, and they receive copies, under the statute.

Mr. O'NEAL. There is some sale of them also?

Mr. CLAPP. There is some sale through the Government Printing Office.

Mr. O'NEAL. What about the monthly summaries of State legislation?

Dr. GRIFFITH. Those monthly summaries are furnished free to the purchasers of the Index who wish them, but their most frequent use is by the State legislative reference services who advise the State legislators regarding legislation in other States. The summaries go out as fast as the laws come into the Library, and we have some very enthusiastic letters from the State legislative reference services concerning them. (See excerpts below.)

The third service is a biennial publication of Current Ideas, or trends, in State Legislatures. Through the various Members of Congress copies of these reach 10,000 individual State legislators, making it possible for them to examine the work that is done in other States in the fields of their own committee work.

Finally, the State Law Index does a considerable amount of research work for Members of Congress. Many of the reports listed under the Legislative Reference Service are actually prepared by the State Law Index for Members of Congress.

Mr. O'NEAL. This figure you give us here is just the personnel cost. The other costs are found elsewhere?

Dr. GRIFFITH. The printing cost of the biennium is there. This is the entire cost.

Mr. O'NEAL. This is the printing cost, too?

Dr. GRIFFITH. Yes, this is the printing cost, too. Of course, this is published every 2 years.

Mr. O'NEAL. The amount for printing is \$3,350, for supplies and materials, \$610, and for equipment \$100. Exclusive of the \$4,060, the balance is for personnel?

Dr. GRIFFITH. Yes.

Mr. O'NEAL. You might insert in the record one or two of the letters you have received from the States indicating their appreciation of that service.

Dr. GRIFFITH. Yes, I will be glad to do that.

(The letters referred to are as follows):

Mrs. A. J. Clarke, law librarian, Montana State Law Library and Reference Bureau, Helena, Mont.:

"This library is using the Monthly Summaries to supplement the State Law Index which is of great use during legislative sessions, when there are many requests for legislation of the various States on all subjects."

Grace A. Campbell, documents librarian, Oklahoma A. and M. College Library, Stillwater, Okla.:

"We find the Monthly Summaries of State Laws very useful. We have the session laws for only a few States but when we find material on the subject in which we are interested we can borrow the session laws from the State library.

"Recently we have used the Monthly Summary with a member of the State legislature who was working on prospective legislation regarding free textbooks and health assistance to the indigent. Also for the president of the college who was asking for information regarding textbook laws in other States."

Robert K. Cullen, reviser, Statute Revision Commission, Frankfort, Ky.:

"I would like very much to have copies of your mimeographed reports on State legislation which are published in the form of monthly summaries of State laws received in the Library of Congress.

"The Kentucky Statute Revision Commission renders bill-drafting services for the members of the general assembly and the reports would be of value for that reason."

F. H. Guild, director, research department, legislative council, State of Kansas, Topeka:

"We made very extensive use of this material from August through November of last fall in supplying material for committees of the legislative council in connection with a study of war legislation in other States. We found the summaries very helpful.

"In general, we check the summaries regularly on any topics assigned us by the legislative council. A consolidated subject index gives us the type of reference we need the most. On the other hand, we do have occasion to look for material by States. Of course we have access to a complete file of session laws and go to these for the detailed information, regardless of the nature of the comment in the summaries."

SUNDAY OPENING

Mr. O'NEAL. On page 98 of the committee print there is an item for salaries for Sunday opening. The appropriation for 1943 was \$26,018, and the regular estimate for 1944 is \$26,148. There is also a supplemental estimate for this item submitted by Mr. MacLeish of \$15,433, which makes an increase in that item from \$26,018 to a total estimate for 1944 of \$41,581.

Under "Sunday opening of Library Building," on page 18, column 2, there is an increase in the estimate from \$13,454 to \$15,894. The second item will appear later?

Mr. MACLEISH. Yes.

Mr. O'NEAL. Will you tell us why this item on page 41 of the justifications should be increased from \$26,018 to \$41,581?

Mr. MACLEISH. The situation is this, Mr. Chairman. The Library has to stay open on Sundays because it is heavily used on Sundays. Particularly as a result of the 48-hour week a good many people come in from other departments who cannot come there during the week. The Sunday opening requires the services of 74 people.

The compensation for work on Sundays in the past has been paid on the basis of the compensation on weekdays. Those rates have been thrown out of kilter by certain recent developments.

First of all, salaries of certain classes of corresponding weekday positions were increased by Public 694, Seventy-seventh Congress. Guards are now paid at the rate of \$4.16 on week days, but only \$4 on Sundays. Messengers receive \$3.66 on weekdays but only \$3.50 on Sundays.

Mr. O'NEAL. How many of the 74 employees are affected by this change, from the practice you have engaged in the past?

Mr. CLAPP. Five guards and nine messengers.

Mr. MACLEISH. Second, there has been a gradual readjustment of weekday salaries, going back as far as the Welch Act of 1928, and the Brookhart Act of 1931, and also including recent reallocation of positions by the Civil Service Commission. That readjustment has not been reflected in the rates paid for similar work on Sundays. As a result, the assistant law librarian is paid at the rate of \$11.66 per diem on weekdays, but the assistant in charge of the law library service on Sundays receives \$8.

Finally, there is at present no compensation for the overtime character of the work. This work is performed by people who work there during the week.

Mr. O'NEAL. You need that number for the Sunday opening? You could not reduce that number?

Mr. MACLEISH. It is our feeling that we are very close to the edge of the security with 74, when you consider the service in the reading rooms, in the other divisions, and the necessary guards, and so forth. They are pretty well scattered.

To get a picture of it, there are two in the administration of the Sunday operations; there are three in the congressional reading rooms, 48 in the reading rooms, 11 in the periodical reading rooms, and two in the law library. There are four in mail delivery, two in the Maps Division, one in the Slavic Division, and one in the Smithsonian Division.

Mr. ANDERSON. Do not people usually come down on Sunday for diversion purposes, to get a little pleasure?

Mr. MACLEISH. That is a very hard question to answer.

Mr. ANDERSON. You have your Law Library Division open on Sunday. What would you say as to the Sunday use of the law library?

Mr. VANCE. It is now used on Sunday to quite an extent by members of the bar who come down to prepare cases for the Supreme Court, and also by Government lawyers who cannot come there during the week; they use the law library at nights and on Sunday. The official use is much larger than the public use, because the public can come there in the daytime.

Mr. CLAPP. I might say that I spent yesterday afternoon in the Library partly working on this very estimate, and I was looking at the number of readers there, more or less from the point of view of this estimate. I judged them to be for the most part members of the staff's executive agencies doing work on Sunday that they could not do on other days, rather than persons spending Sunday in recreational reading. Nobody nowadays comes down to the Library on Sunday to do recreational reading.

UNION CATALOGS

ADDITIONAL PERSONNEL

Mr. O'NEAL. For Union Catalogs, for salaries and expenses, the appropriation for 1943 is \$27,065, and the estimate for 1944 is \$68,425.

Will you explain the reason for that large increase?

Mr. MACLEISH. This is our largest request for an increase. It is explained in the justifications.

As we see it, the justification lies in two things, first in the war itself, and secondly in the necessity of working out a carefully considered purchasing program for the period after the war.

To make the two points clear, I think I should tell you briefly what the Union Catalogs are:

There were established as the result of a very large gift from Mr. John D. Rockefeller, jr., amounting to \$250,000.

The catalogs are about two-thirds complete.

Their purpose is to show where, in the United States, you can find copies of books. They are, therefore, important, first to locate materials, and secondly to work out interlibrary loans, which I have previously referred to, so that if a book is available, for instance, at Johns Hopkins and the Army needs it, they can find it by looking in one catalog and get it through the interlibrary loan system.

It also makes it possible for other libraries to assist us in cataloguing our books and for us to assist them in cataloguing their books. They are therefore, in summary, a source of two services of great usefulness.

In the first place, they save money. They enable you to find books which otherwise each library would have to buy for itself. Secondly they are useful for the kind of reference work I referred to in my introductory statement.

The use of the Catalog has reflected the war, as one would expect. The number of inquiries has increased from 1,500 in 1940 to 2,000 in

1941 and 3,500 in 1942. Inquiries are now going at the rate of about 4,500, an increase of about 141 percent over that period of time.

There is also a great deal of use of the catalog to locate technical materials. On page 46 of the justifications there is a list of the agencies for which work of this kind has been done.

The reason we bring the justification in now is partly due to the present urgency of war work, requiring the completion of the Union Catalogs as quickly as possible; and, secondly, the fact that we have an opportunity now to get the cooperative assistance of other libraries to the extent of about \$300,000 worth of labor.

The catalog of the Library of Congress is now being printed commercially in book form in some 160 volumes and will be distributed to libraries. A large number of libraries have already agreed, and we think several hundred will eventually agree, to check their holdings against this published catalog and turn into us catalog cards for works that we do not have and of which we need to know the locations.

We estimate that in this way we will be able to file into the Union Catalog perhaps 4,800,000 new cards, and we expect that out of them we will find a very considerable number, perhaps half, which are not already recorded in the Union Catalog. With these we shall have a substantially complete catalog of the books available in the United States. In other words, we have this opportunity to take advantage of some \$300,000 worth of voluntarily contributed labor of other libraries which will enable us to move rapidly toward the completion of this catalog, and we have this opportunity at a time when there is a heavy pressure on the catalog because of the war, and the after-the-war program.

Mr. O'NEAL. How much do they contribute?

Mr. MACLEISH. They will supply the labor of their people in checking off their holdings against ours as shown in our published catalog, and in filing with us cards for what we do not have. We have asked for and secured very careful estimates of the cost of these services from other librarians, and we are quite satisfied that we may expect from them services of approximately that value.

Mr. HENKEL. The reports of two libraries on the first volume of the published catalog have just come in.

Mr. MACLEISH. There is one fact which ought to be referred to as bearing on the timeliness of this project, and that is that the Government already has a considerable investment in this work. Beginning in 1937, the WPA made copies on microfilm of 600,000 cards representing books in the other libraries of the District of Columbia. These cards have been copied off by the Historical Records Survey of New Jersey, and about half of that number is now ready to file into the Union Catalog.

The total Government investment in the preparation of cards and the voluntary contributions by other libraries will enable us to prepare for the purchasing program after the war.

We are very sensible of the fact that this is a most inopportune time to make a request such as this. But faced with the various elements involved, I have no alternative but to present the request with the statement of my earnest feeling that it is desirable to carry the project forward, and that there will be a real and effective saving if we can do it promptly.

Mr. O'NEAL. What about spreading it over a period of years? Do you plan to keep this increased force over a period of years?

Mr. MACLEISH. No. As stated in the justifications for the first group of four filers, we want them for only 1 year. The next group of four we want also for only 1 year. The next group of nine, for the editing of the Union Catalog, we will need for 2 years, because it will take 2 years to do that work. The final group of eight which will enable us to check into the Union Catalog the work already done in Philadelphia and Cleveland, will require 5 years.

Mr. O'NEAL. What about Cleveland and Philadelphia, what have they done?

Mr. MACLEISH. Cleveland and Philadelphia, beginning in 1935, made up union catalog of all holdings of books in those areas. The Philadelphia catalog has about 3,000,000 entries, while in the Cleveland area the number is not so great. We have made tests which indicate that about 34 percent of the items listed in the Philadelphia catalog are not entered in our Union Catalog. As to the Union Catalog in Cleveland, the same thing is true, with about 24 percent of the titles there lacking from our catalog.

Mr. O'NEAL. What character of books are those? Are they research volumes, perhaps, rather than volumes for public reading?

Mr. MACLEISH. The books of which we lack locations at the present time would be books of a research character.

Mr. O'NEAL. What sort of selection is made? There would be no great advantage in having a catalog of an indiscriminate lot of books of no particular research value. How do you select them? Do you just take everything they have?

Mr. MACLEISH. Our Union Catalog will show the location of at least one copy of every book in the United States.

Mr. O'NEAL. Is fiction included in that?

Mr. MACLEISH. Fiction is included, but we do not give the location of every copy.

Mr. HENKLE. Most of the works of fiction in other libraries would not be included, because most of those works are already in the Library of Congress. This operation refers mostly to research materials, chiefly foreign books. This is scarce foreign research material for the most part.

Mr. O'NEAL. Is that true of all these that you want? Will the percentage not be largely in favor of research material?

Mr. MACLEISH. It will be largely foreign research material because the Union Catalog now contains everything we have in the Library of Congress, and the Library of Congress receives American books by copyright.

Mr. O'NEAL. It would seem to me that the spending of a large amount of money for fiction material of no particular value except as current reading would be a waste of money at this time.

Mr. MACLEISH. I agree that it would. We are dealing here with material definitely outside of that area.

Mr. O'NEAL. What about the nine positions proposed for 2 years, for editing?

Mr. MACLEISH. That is an editing operation. When the Union Catalogs were set up a great many cards came in from a great many (some 700) libraries, and were filed into the Union Catalog as a pre-

liminary operation regardless of our Library of Congress rules, with the result that there are now many conflicting and many hidden entries.

The purpose in editing would be to weed the duplicating material out and to develop a catalog which would be a really workable tool, so that you can know, under each particular heading, that you have before you all the material that should be entered under that heading, and not something else. This is the project which, of all those listed, can most easily be deferred, but it is one that is necessary and which would effect considerable economy.

Mr. O'NEAL. You have an item for arranging and filing 600,000 added entry cards, which is a 1-year project with four positions totaling \$5,640.

Is that research material, or is that for any book of any type or character?

Mr. MACLEISH. That would all be research material, because the books involved are usually the work of joint editors and are most frequently scientific publications or publications put out by an institution or several institutions working together. You must be able to get at the book even if you know the name of only one of the editors.

Mr. O'NEAL. That is a 1-year project with four positions. What type of work will those people do?

Mr. MACLEISH. That is a filing operation. There are 600,000 cards representing books in all Government libraries in the District. There is no one place now where you can find out what books the Government has in this city. Sometimes you have to look in 19 different places. The catalogs of the principal libraries have been filmed by the W. P. A., and about half of them have been typed off on cards by the New Jersey Historical Records Survey. These cards need to be sorted out and filed into the Union Catalog.

Mr. O'NEAL. You do not expect any funds from any other source to be obtained for this purpose?

Mr. MACLEISH. No; sir, we do not.

INCREASE OF THE LIBRARY OF CONGRESS

Mr. O'NEAL. Now we come to "Increase of the Library of Congress." You had an appropriation of \$173,000 in 1943 and you are requesting \$198,000 for 1944, an increase of \$25,000. Dr. MacLeish, we will be very glad to have you discuss this item and the general policy with reference to accretions to the Library.

Mr. MACLEISH. This item is one to which we attach very great importance. We asked for \$198,000 last year and we are now repeating that request. As I said in my preliminary statement, we do not believe that the amount of \$198,000 is adequate to do the job that the Library has to do, but we do not want to come in with a program for purchases until we can work that program out in all of its details, until we can work it out with other libraries to see how far other libraries can be counted on to carry a part of the burden. That is, if Harvard, for example, would be willing to cover the responsibility for a certain abstruse field that needed to be covered by only one library, then we would not have to go into that field. And we have made a proposal to other libraries to that end.

Also, as I said in connection with the Union Catalog, we want to see whether we cannot work out a basic automatic controlling mech-

anism so that libraries can avoid duplication in the purchasing of books. But when you say all that, you come right down to this fact, that the war has opened the eyes of a lot of people, including people in the libraries. They suddenly realize—and this is true of the Library of Congress as of other libraries—that their collections are not nearly as adequate as they thought they were. For example, Africa, which was never an area of the World which bothered this Government very much, aside from the basic materials which the State Department had to have, has suddenly become an area of the World about which the armed services as well as the State Department, as well as the Bureau of Foreign and Domestic Commerce, as well as various other agencies, the Board of Economic Warfare and others, need information and we have not adequate material. The same thing is true of Russia, where we have had for years a classical library—we have the Czar's library, as the committee knows, on which some building has been done since. But the current material necessary to understand what is going on now in Russia, and necessary to secure precise information on Russian technical developments, scientific developments, and what not—that we have not got, and some of the materials that we have not got are very important.

The same thing is true of modern China. We have a very fine collection of ancient Chinese material. At the present moment we have perhaps the greatest collection of Chinese material on this hill that was ever put together. But we have inadequate contemporary Chinese material.

When it comes to the Polynesian material and material covering the whole area of the Pacific, we have about as much as anybody else in this country. But our inquirers need more than we have and we cannot answer their questions.

The same thing is true of Japan, where the inadequacy of our collections has become very apparent. And the same thing is true in certain cases of the Scandinavian areas.

In other words, the developing significance of those areas has put a tremendous burden on us and we feel we ought to work out, and must work out, a careful program to deal with it. What we are asking for this year, however, is no such sum as we think may be necessary for the period right after the war; what we are asking for this year is an amount which, on the basis of our experience, will, we think, enable us to keep abreast of the job we have to do. That "job we have to do" has to be explained a little.

In the years before the war and the years prior to this war, we secured a great deal of material by international exchange and by deposit for copyright in this country of foreign books. The British copyrighted books here very extensively, and we got foreign documents through international exchange, got a great deal of material that did not cost us a red cent; as a matter of fact, it was delivered here without cost to us. Today, the British are not bothering to register for copyright. They have other things to do; they have other things to worry about and they need the shipping space. The international exchange of documents has collapsed and documentary material which this Government needs we have to go out and buy, go out and find and bring in by whatever means we can.

For instance, I have in my hand a roll of micro-film which we secured through agents in Switzerland, which contains technical

and official documents. This is a film containing technical and official documents from a very large part of occupied Europe—Germany, Belgium, Bohemia, Bulgaria, Croatia, Denmark, Finland, France, Hungary, the Netherlands, Sweden, and Switzerland.

The purchase of material is also still possible. We do secure certain material abroad by purchase. Some material we have had to buy anyway, but much material that would have come to us free, we now have to buy. I have brought over a few items that I would like to revert to in a moment, as indicating the kind of material that is available. Roughly speaking, about a tenth of our purchase of foreign material at the present time is made up of the purchase of material which previously we did not have to buy. There is consequently that added element of cost in our appropriation. And it is our belief, Mr. Chairman, that with the amount we are asking for, we will be able to meet that additional cost which we have not had to bear before, will be able to meet the very heavily increased cost of shipment (because it is costly to get things in here now), and will be able to keep up with the general purchasing program, which we must keep up with at all times.

PURCHASE OF NEWSPAPERS AND PERIODICALS

Mr. O'NEAL. During the fiscal year 1942, how much did you spend for accretions to the Library, and what type of purchases did you make then; also, does this include the periodicals which you keep on your shelves, and newspapers on your shelves, and items in the daily use of the Library, or is this more for building up the Library from the standpoint of future use, as student material?

Mr. MACLEISH. The figure that appears on page 102 of the committee print, \$235,699, is a figure which includes the purchase of materials of all kinds.

Mr. O'NEAL. What I am trying to do is to get the distinction—for instance, in 1943, you have \$169,371 for equipment (books and other Library materials). Now, how much of that is for equipment and the purchase of newspapers and magazines for the public to read, which you must buy, and how much goes to building up your shelves with books and materials which you consider important to the Library?

Mr. MACLEISH. You want to make a distinction between current material and background material?

Mr. O'NEAL. Yes.

Mr. MACLEISH. I do not believe we have made a division of that kind in our bookkeeping. I think it would be possible to compute it. We know, for example, as I said this morning, that our total intake, which includes over 900 newspapers, domestic and foreign, includes also some 200,000 volumes and pamphlets.

Mr. O'NEAL. You have to subscribe to the most of them, do you?

Mr. MACLEISH. Some come in free and some we have to subscribe to.

Mr. O'NEAL. Is the number appreciable that you have to subscribe to, or does the most of it come in free?

Dr. EVANS. Most of the foreign ones we have to buy, even periodicals.

Mr. MACLEISH. How as regards domestic copies?

Mr. MEARNS. Many of them come by gift; others we have to buy.

Mr. JOHNSON of Indiana. Do you pay the regular rate?

Mr. MACLEISH. Yes; we do.

Mr. O'NEAL. Of this amount of \$169,000 that you have for 1943, what amount would you estimate would go into periodicals and newspapers and that part of the current work which is for use of the general public, of an immediate character?

Mr. MEARNS. For periodical and newspaper subscriptions of all kinds?

Mr. O'NEAL. Yes; purchases similar to that. You might buy pamphlets and booklets.

Mr. MEARNS. I would say, offhand, that from 75 to 80 percent of all of our purchases are for current material.

Mr. O'NEAL. And what you buy in the library material that you do not have is confined in this instance, say, to 20 percent of the \$169,000?

Mr. MEARNS. Yes.

Mr. O'NEAL. That would figure around thirty to thirty-five thousand that you will use this year?

Mr. MEARNS. Just about.

Mr. O'NEAL. For the acquisition of material which should be in the library, of the older material?

Mr. MACLEISH. Of course it is difficult to make that distinction between what is of immediate current use and what is put in because we know there is a gap in the collections and, although not immediately called for, may be called for in the future.

TRAVEL EXPENSE

Mr. O'NEAL. That presents a rather interesting figure, because the amount you are asking is \$164,500 for 1944, and you are asking \$25,000 for travel. Is that \$25,000 worth of travel to acquire the \$30,000 worth of backlog of stuff you do not have, or travel to secure current stuff? It looks like the \$25,000 would be to acquire the backlog of about \$30,000 worth of literature.

Mr. CLAPP. Perhaps I should point out something here. The estimate for 1943 includes, the chairman will notice, \$23,471 carried over from the previous year's appropriation, so that the total expected obligations for 1943 are \$196,000, leaving the appropriation as \$173,000.

Mr. O'NEAL. Taking the \$25,000 from the \$198,000 will leave \$173,000; is that correct?

Mr. CLAPP. Right.

Mr. O'NEAL. And about 20 percent of that \$173,000 would be used for the acquisition of the older material, about \$35,000 worth. Now, does it take \$25,000 worth of travel to acquire \$35,000 worth of older material?

Mr. MACLEISH. First of all, as regards travel: Since the estimates were originally put in, there has been a change in the picture, that is, a change in the language of the act made in the Second Supplemental National Defense Appropriation Act. This change in language increased the limitation for travel to \$20,000, and we expect that amount to be adequate. Consequently, we are not now asking for an increase to \$25,000 in the limitation for travel.

Mr. O'NEAL. Well, you not only have the limitation, but you actually have the figure of \$25,000 set up in your estimates.

Mr. MACLEISH. That is a mistake; it should not be that figure for travel. That is the figure for books and necessary expenses; it is an increase in the amount available for the purchase of books. I am sorry that mistake was made. But a considerable part of the cost of travel does relate to these current materials.

Mr. O'NEAL. It does?

Mr. MACLEISH. Yes, sir. The material we need most is current technical publications abroad, which can only be secured, in most cases, by making unusual effort and sometimes by sending people. For example, we have here a shipment which recently came in by way of Switzerland, including this book published in Leipzig in 1942 [exhibiting].

Mr. O'NEAL. Why would it be necessary to get an item of that kind?

Mr. MACLEISH. That came out of Switzerland before the occupation of North Africa. Now the only real possibility of securing books in Europe at all at the present time is in Lisbon, and then we must buy through our own agents because the book trade is not organized in Lisbon to deal with the stuff that flows in there.

Mr. O'NEAL. Of the \$20,000 you are requesting in 1944, how much is for domestic travel and how much for foreign travel?

Mr. MACLEISH. We had hoped to be able to get a considerably larger number of men to travel abroad than we have been able to do. It was largely for foreign travel. At the present time, we have not sent anyone abroad, but we have an agent now, Mr. Sanchez of our staff, whose visa has been cleared and who is waiting daily for a priority on the plane to Lisbon, where he will secure materials for us, and we have set aside to cover his necessary stay and his purchases in Lisbon, I believe, about \$3,700.

The amount spent thus far for domestic travel is under \$1,000.

Mr. O'NEAL. What do you think you will spend on this item out of the \$20,000 in 1943, by July 1 of this year? Do you think that some of that will be returned to the Treasury?

Mr. MACLEISH. I should be very much surprised, Mr. Chairman, if we spent as much as \$5,000 in the fiscal year 1943, unless we can send additional representatives abroad. At present we plan to send an agent to Lisbon at about \$3,700 and an agent to South America at about the same amount.

Mr. O'NEAL. If the war continues, do you think it will be the same for the fiscal year 1944?

Mr. MACLEISH. No, sir. We hope very much to be able to have at least two and possibly three men abroad next year.

Mr. O'NEAL. During the war?

Mr. MACLEISH. Yes, sir.

Mr. O'NEAL. Where will they go?

Mr. MACLEISH. There are two possibilities in Europe; one is Lisbon and the other is Stockholm, and there is now opening another area that I referred to earlier, North Africa, as well as Near Eastern-Iranian-Indian area.

Mr. O'NEAL. Would not that be a very expensive operation with the condition Europe is in, and especially to purchase books that must be

almost out of reach in countries like France and Germany and those under German domination? And that would leave only very few countries with which to proceed with this program, would it not?

MR. MACLEISH. There is considerable publication going on even in the occupied areas, and the material itself slips out through Scandinavia and Switzerland. Of course Switzerland is now blocked, except so far as the Swiss themselves are able to get material.

MR. O'NEAL. Would it not be better to save that money and use it after the war is over? Could not you do much more with it then than you can at the present?

MR. MACLEISH. We could buy much more effectively for the general development of the Library after the war, but our problem is the problem of securing current materials now which we are not able to get otherwise than by going after them, and the need for which seems to be so great that it is worth any effort.

MR. O'NEAL. For books that are useful in the war effort?

MR. MACLEISH. Yes, sir.

MR. JOHNSON of Indiana. They have war representatives in all those countries and, if any information was needed, could not they get it?

MR. MACLEISH. The history of the effort to do that very thing is a long one.

(After discussion off the record.)

MR. O'NEAL. Let me ask, who do you have over there now?

MR. MACLEISH. We have no Library of Congress person abroad now at all.

MR. JOHNSON of Indiana. I understood you to say you had one representative.

MR. MACLEISH. We have a man named Sanchez who is about to leave for Lisbon.

MR. JOHNSON of Indiana. What is his name?

MR. MACLEISH. Manuel Sanchez.

MR. JOHNSON of Indiana. Is he a regular employee of the Library?

MR. MACLEISH. Yes.

MR. JOHNSON of Indiana. And you contemplate sending him over next year?

MR. MACLEISH. That will depend on whether we are able to do so. If we are able to send a man into Scandinavia and Sweden, if they still remain ports of entry, we will try to find a man who knows the Scandinavian languages. We have not yet come to the point of selecting such a person. We would also like to send a person into North Africa and the Near Eastern area. There we would like to send Dr. Poleman, the head of the Indic Section of our Asiatic Division.

COMMUNICATION SERVICES

MR. O'NEAL. Now, for communication services you have \$2,500 in 1943. How much have you spent to date?

MR. CLAPP. \$109.86.

MR. O'NEAL. Why do you expect such a sum as \$2,500 to be needed in 1944?

MR. CLAPP. When the estimate for 1944 was drawn up, we expected a large increase in the cost of communications in order to get materials in. It was difficult to get materials through the usual channels and we calculated we would have to use air mail, telegraph, and cable much more than usually.

Mr. O'NEAL. Do you think you could get by with about \$500 on that?

Mr. CLAPP. I shall have to refer that to Mr. Moriarty, who does the actual purchasing and knows the conditions under which he works.

Mr. MORIARTY. It will depend somewhat upon the representatives. If they can make arrangements to have the material shipped back to us by air—and we have taken that up—we will need a larger sum.

TRANSPORTATION OF THINGS

Mr. O'NEAL. For transportation of things you ask \$5,000, which is an increase of \$1,500. Does that include domestic purchases, or is that entirely foreign purchases?

Mr. CLAPP. That item comprises all transportation costs in the shipment of books, so that it includes both foreign and domestic purchases.

Mr. O'NEAL. That is not periodicals, newspapers, or anything or that sort?

Mr. CLAPP. So, sir.

Mr. O'NEAL. What have you spent to date on that item?

Mr. CLAPP. \$674.39.

Mr. O'NEAL. As of what date?

Mr. CLAPP. That is as of December 31. I can give you the February 28 figures, if you like.

Mr. O'NEAL. If you have them, we will take them.

Mr. CLAPP. \$791.94.

BOOKS APPROVED FOR PURCHASE, 1943.

Mr. O'NEAL. Now, in your "equipment (books and other library materials)," \$164,500, what does that "other library materials" refer to? Is that for newspapers and magazines?

Mr. CLAPP. That is for all materials for the increase of the Library; that is books, prints, microfilm, maps—everything.

Mr. O'NEAL. How much have you spent to February 28 on that item?

Mr. CLAPP. On February 22 orders approved totaled \$154,278.14.

Mr. O'NEAL. You have pretty nearly exhausted the amount?

Mr. CLAPP. Leaving \$18,721.67 unapproved from the current appropriation, plus \$23,754.33 from last year's appropriation.

Mr. O'NEAL. Can you break that down a little bit as to what those purchases were, by classes?

Mr. CLAPP. Yes, sir; we can submit a statement for the record compiled by Mr. Mearns, the Reference Librarian, on that.

Mr. MACLEISH. This statement shows the list of allotments, Mr. Chairman, which are broken down with us into subject matters.

Mr. O'NEAL. And this amount has actually been approved for the fiscal year 1943, up to February 28?

Mr. CLAPP. Yes. That includes orders approved, also, from the unobligated balance remaining from 1942.

Mr. O'NEAL. By "continuation," that means periodicals?

Mr. CLAPP. Yes, sir.

Mr. O'NEAL. And of the \$154,000 approved, \$55,000 was for continuations?

Mr. MACLEISH. I think a word ought to be said about that. \$55,000 has been the figure in the past for continuations. The war has cut certain continuations and that amount may decrease by some thousands of dollars, making an amount available to throw elsewhere, and that will be used very heavily against the elements I referred to before—materials we used to receive by exchange and otherwise—but will by no means balance that increased element.

Mr. O'NEAL. And in your program for 1944, the classification given there would be the same for 1944, would it not?

Mr. MACLEISH. That is right, yes, sir.

Mr. JOHNSON of Indiana. Do you want this to go in the record?

Mr. O'NEAL. I have no objection to that going in.

Mr. JOHNSON of Indiana. I think it might be enlightening to have that go in.

Mr. MACLEISH. There is one thing I would like to have said about it if it goes in the record, that is, this does not indicate our judgment on an absolute basis as to the relative importance of these things; it is our judgment as to the relative necessity in terms of what we already have and what the demands are. So that the fact we have a few hundred dollars down there for religion does not mean we think lightly of religion. It just indicates what the demands and the present holdings are.

(The matter above referred to is as follows:)

Books approved for purchase, fiscal year 1943, as of Feb. 22, 1943

	Allotted	Approved	Balance
Religion and philosophy.....	\$1,398.04	\$1,363.36	\$34.68
Genealogy.....	1,000.00	277.52	722.48
Continuations.....	55,000.00	55,000.00	
History (except American).....	5,000.00	4,803.44	196.56
Americana.....	2,050.00	2,018.99	31.01
Anthropology.....	1,225.00	1,176.90	48.10
Economics and sociology.....	3,500.00	3,417.66	82.34
Hebrew.....	350.00	219.20	130.80
Hispanic language and literature.....	1,417.89	1,403.09	14.80
Indic studies.....	1,702.87	1,623.89	78.98
Political science and documents.....	5,450.00	4,256.97	1,193.03
Education.....	518.03	517.03	1.00
Librarian's fund.....	20,971.91	3,062.25	17,909.66
Music.....	5,000.00	3,895.44	1,104.56
Maps, geography, geology, charts.....	2,000.00	1,560.78	439.22
Manuscript.....	3,000.00	1,613.77	1,386.23
Fine arts.....	3,500.00	2,919.81	580.19
Orientalia.....	5,000.00	1,882.15	3,117.85
Language and literature.....	4,600.00	4,555.82	44.18
Newspapers and periodicals.....	4,000.00	3,913.62	86.38
National defense.....	4,500.00	4,285.85	204.15
Medicine and public health.....	300.00	71.08	228.92
Rare books.....	500.00	376.50	123.50
Reference department.....	31,170.59	30,993.53	177.06
Reference collections.....	4,000.00	1,999.70	2,000.30
Slavica.....	1,500.00	772.96	727.04
Extra copies.....	900.00	786.68	113.32
Bibliography.....	3,000.00	632.87	2,367.13
Express.....	3,000.00	638.76	2,361.24
Sound recordings.....	3,000.00	1,741.37	1,258.63
Microfilm.....	10,000.00	6,122.55	3,877.45
Postage.....	2,000.00	882.38	1,117.62
Telephone, telegraph, cablegrams.....	700.00	308.78	391.22
Travel.....	5,500.00	5,173.44	326.56
Total.....	1 196,754.33	154,278.14	1 42,476.19

¹ Includes \$23,754.33 from 1942-43 appropriation.

Mr. JOHNSON of Indiana. How many copies of the various magazines do you get over at the Library?

Mr. MORIARTY. We get one copy of all foreign magazines that we get, as a rule; it is very rare that we get more. Of the domestic titles, we get two by copyright and, if there is a heavy public demand, we increase the number. For instance, the Legislative Reference Service might need an extra copy, as well as the Periodicals Division, to serve readers in both places.

Mr. JOHNSON of Indiana. The two that you get by copyright are free?

Mr. MORIARTY. Those are free.

Mr. JOHNSON of Indiana. Those are domestic publications?

Mr. MORIARTY. Yes.

Mr. JOHNSON of Indiana. And the foreign publications you receive you subscribe to?

Mr. MORIARTY. We have to subscribe to.

Mr. JOHNSON of Indiana. And what is the average total number of them?

Mr. MORIARTY. Thirteen thousand six hundred and fifty.

Mr. JOHNSON of Indiana. And what is the average price per year for subscriptions?

Mr. MORIARTY. I would say \$3 to \$5 was the average price.

INCREASE OF THE LAW LIBRARY

Mr. O'NEAL. The next item is "Increase of law library." In 1943 you had an appropriation of \$90,000; you are asking, for 1944, \$100,000. And I believe you did have \$23,000-plus made available to you in 1943 from the 1942 appropriation. Is that correct?

Mr. MACLEISH. I will ask the law librarian if he will take over the item for "Increase of the law library."

Mr. O'NEAL. The item of \$96,950 for equipment includes books and other library materials. I presume that has nothing to do with any equipment of the Library; it is just the books and magazines, pamphlets, and so forth?

Mr. VANCE. That is all; yes, sir.

Mr. O'NEAL. Of course the word "equipment" does not include anything more than that?

Mr. VANCE. The only equipment of the law library, of course, comes out of the general appropriation for equipment.

Mr. O'NEAL. Mr. Vance, how much of this amount do you estimate is for current publications and magazines and newspapers to go into the law library, and what amount is for the acquisition of older material?

Mr. VANCE. Mr. Chairman, the appropriation has been drawn upon greatly, much more in proportion during the past 2 years and particularly in the past year, for the same type of material which the Librarian (Mr. MacLeish) has described in his statement, that is, for the current literature, not periodical literature, but legislation, gazettes, and such textbooks as we could secure, and the foreign legislation.

Mr. O'NEAL. What percent of your purchases in dollars in 1943 was for that type of acquisition?

Mr. VANCE. I would say about half of it will be expended on the current material. Of course, in law, current material is much broader than it is in general literature, because everything that bears on any legislation that is published considerably before, many years before, would be construed by the courts as current material. So, as we have

been able to fill the gaps in legislation, in jurisprudence, or in court reports, why, we have expended some of the funds on that class of literature.

Mr. O'NEAL. How much of this amount do you expect will be expended for that sort of material of foreign countries, and how much locally?

Mr. VANCE. I would say about 60 percent would be expended on the foreign materials out of this year's appropriation.

Mr. O'NEAL. In other words, \$60,000 of the \$100,000 you anticipate will be spent in the acquisition of foreign materials?

Mr. VANCE. Yes, sir.

Mr. O'NEAL. And how much of that would be of the current literature type, or the type you just mentioned?

Mr. VANCE. I would say about 60 percent of that material.

Mr. O'NEAL. In other words, about \$24,000 would be used in buying foreign materials?

Mr. VANCE. No; I think more than that; about \$30,000 or \$35,000.

Mr. O'NEAL. What is the type of those purchases, Mr. Vance, that you are interested in making; what does that include?

Mr. VANCE. First, primary source material, of course: The Law Gazettes, session laws, court reports, administrative rulings, and administrative regulations.

Mr. O'NEAL. Does not that go to the foreign fields, too?

Mr. VANCE. It does go to the foreign fields even more than it does into the local field, because so much of their law is administrative law.

Mr. O'NEAL. And with respect to the old statutes and books of historical interest, is not that an appreciable item in your purchase?

Mr. VANCE. Yes, sir, it is; because that is not just historical material.

Mr. O'NEAL. It is basic material?

Mr. VANCE. It is basic material, as has been shown in former hearings here. Even old yearbooks have been cited in Supreme Court Reports, have been cited by lawyers and judges, and have been used in current cases tried before the courts.

Mr. O'NEAL. From what countries do you largely anticipate that this material will come in the fiscal year 1944—Europe or South America, or what?

Mr. VANCE. All the countries.

Mr. O'NEAL. Will it be largely South American or predominantly European?

Mr. VANCE. Predominantly European, which will be the most expensive material.

Mr. O'NEAL. Can you give us a break-down for 1943—or 1942 would be all right—of the type of purchase, and where they came from?

Mr. VANCE. Well, by countries, I do not have that broken down. Perhaps you would like it in the detail. For instance, in the British material, up to the end of the year we have spent a little over \$3,000 for British material.

Mr. O'NEAL. What type of purchase did that include?

Mr. VANCE. That included the statutory rules and orders and the various court reports—of course, published in the law reports and in their textbooks.

(Discussion off the record.)

Mr. VANCE. As you know, the Law Library is supplemental to all the law libraries of the Government, and here in the Capital there are some 50.

Mr. O'NEAL. Do you work in cooperation with them?

Mr. VANCE. They are the ones that not only see that we do not duplicate, but they cannot duplicate, because they do not have the need for the great variety of books that come to the Library of Congress—because they do not have the space, nor the appropriation therefor.

Mr. O'NEAL. What about South American material? Do you bring in quite a bit of that material, too?

Mr. VANCE. Yes, indeed. In the first place, all of those countries publish their legislation in more or less the same way that we do, in session laws and also in their gazettes; or you might say that their legislation is published first in their gazettes as we publish it here in the Federal Register.

Mr. O'NEAL. Is there any one place where a complete job is being done on the countries in South America and the publication of their statutes or do you cooperate with the other libraries in getting that done?

Mr. VANCE. No; we cannot wait for the other libraries, because the Government needs the material as soon as possible.

Mr. MACLEISH. I think the answer to the chairman's question is "Yes," is it not? You do a complete job on South America?

Mr. VANCE. Yes. This is one library that is doing a complete job on Latin-America.

Mr. O'NEAL. How did you arrive at the figure that you have here for the acquisition of law books? How did you make up the budget there?

Mr. VANCE. Based on former experience and study.

Mr. O'NEAL. What percentage is the current material? I would like to have a brief statement for the record of so much for the current literature and so much for other types. Could you put that in the record?

Mr. VANCE. Yes, sir; we will put that in the record.

(The statement requested is as follows:)

Purchase of current legal literature

	Fiscal year 1942 obliga- tions	Fiscal year 1943 obliga- tions to Feb. 27, 1943
Current Americana, including extra copies of reference books, uncopyrighted materials, etc.	\$6, 171. 86	\$3, 513. 40
Current British, Dominions and colonies.	3, 019. 56	3, 180. 64
Foreign:		
European	3, 131. 61	4, 938. 77
Latin American	3, 869. 84	10, 451. 38
Other foreign countries	373. 65	668. 40
Continuations, periodicals, serials, and books issued in parts.	12, 500. 00	15, 000. 00
New subscriptions	1, 265. 07	371. 22
Total	30, 831. 59	38, 123. 81

NOTE.—

Current materials:

1942 (\$30,331.59)—34 percent of total appropriation.

1943 (\$38,123.81)—68 percent of total obligations to Feb. 27, 1943.

Foreign current materials:

1942 (\$13,394.66)—44 percent of total current materials.

1943 (\$23,239.19)—61 percent of total current materials.

Mr. O'NEAL. You are asking for an addition of \$10,000. Why do you request more than the base of \$90,000?

Mr. VANCE. Because of the increase in the cost, not only in law books but of getting them into the Law Library. Formerly a great deal of the material of which the Librarian spoke, the legislative material, was exchanged. We received that through international exchange, and on account of the break-down caused by the war, we have had to purchase that material.

Mr. O'NEAL. Does not that exchange go as far as South America is concerned?

Mr. VANCE. Well, it goes rather badly. On account of the war everything, especially transportation, has slowed up.

Mr. O'NEAL. Can you get space for transportation now?

Mr. VANCE. For the important material we are getting it from South America as well as we are from European countries. We are getting it through the photofilm, by air mail, and through the Embassy pouches. They very often send our material up through their special couriers.

TRAVEL EXPENSES

Mr. JOHNSON of Indiana. Mr. Chairman, do we have a break-down of the item of \$2,500 for travel?

Mr. O'NEAL. I think you might put in the record how much was spent and where it was spent.

Mr. CLAPP. There is \$1,750 obligated up to February 28, 1943, on travel.

Mr. O'NEAL. That was actually expended on your trip to South America, was it?

Mr. VANCE. No; some of that was expended in attendance upon meetings. Some of it was expended in domestic purchases; that is to say, auctions, or inspection of books. Considerable material was given to us last year, and it was necessary to see the material before it came.

PURCHASE OF RARE BOOKS

Mr. O'NEAL. Mr. Vance, have you acquired anything particularly rare in the last year or two, volumes which you feel are of a very rare character?

Mr. VANCE. Yes, indeed. We have found a number of things.

Mr. O'NEAL. Give us an example of some the material you have picked up that probably might not have been picked up at any other time.

Mr. VANCE. For example, there is the first edition of the *Codigo Phillipino*, which is not from the Philippines at all, but is one of the first codes of Portugal, which was published in 1603. That is a very rare item.

Mr. JOHNSON of Indiana. Let us have the facts surrounding how you discovered that.

Mr. VANCE. I happened to find that at an old book store in Rio, on a trip there.

Mr. JOHNSON of Indiana. Were you at Rio?

Mr. VANCE. Yes, sir. That had never been offered to us. We have had it on our want list for a great many years, and there it was. It

was somewhat worm-eaten and damaged, so that it was not in perfect condition, but it was in fairly good shape.

Mr. JOHNSON of Indiana. What did you pay for it?

Mr. VANCE. You would be surprised to hear that we paid \$15 for it. If we had had to buy it in Europe at auction, it would probably have cost us \$200 or \$250.

Mr. JOHNSON of Indiana. What did the trip to Rio cost?

Mr. VANCE. That was just part of a longer trip.

Mr. JOHNSON of Indiana. How much was it?

Mr. VANCE. Well, this trip I made to South America was made in the interest not only of the Library collections but of the Coordinator's Office, in a visit to the universities and the law schools in making a study of the legal institutions of Latin America, and at the same time explaining the service of the Library of Congress in an endeavor to make arrangements for exchange of material, and on that trip Rio was just one of the places that I visited.

Mr. JOHNSON of Indiana. Is there any reason why you should not tell us what the trip cost? I do not want to be persistent.

Mr. VANCE. I thought you meant the trip to Rio. I could not very well separate that from the whole trip, visiting all the countries of South America and Latin America. The entire cost was in the neighborhood of between \$3,000 and \$3,500.

Mr. O'NEAL. What, immediately, did you acquire on that trip?

Mr. VANCE. A great many of the early codes and the session laws and books needed to fill the gaps in our collections representing all the countries. It was a very successful trip. We collected not only legislative documents but other publications.

Mr. O'NEAL. How many documents do you suppose you bought on that trip?

Mr. VANCE. About 5,000 volumes were purchased. I think about 5,000 more will come, or have already come, or are on the way.

Mr. O'NEAL. What did those cost? Can you put that figure in the record?

Mr. VANCE. Yes; I will be glad to put that in the record.

Books purchased by the Law Librarian in Latin America

<i>Country</i>	<i>Volumes and pamphlets</i>	<i>Cost</i>
Argentina-----	773	-----
Polivia-----	962	-----
Brazil-----	1, 615	-----
Chile-----	641	-----
Colombia-----	504	-----
Ecuador-----	281	-----
Haiti-----	42	-----
Paraguay-----	399	-----
Peru-----	291	-----
Uruguay-----	71	-----
Total-----	5, 579	\$4, 937. 56

Mr. O'NEAL. You say that part of those expenses was paid out of this appropriation and part of it from the Coordinator's Office?

Mr. VANCE. The Coordinator's Office paid for most of that trip—the Coordinator of Inter-American Affairs.

Mr. MACLEISH. Actually I believe the Coordinator paid about \$3,000.

Mr. O'NEAL. What Coordinator?

Mr. VANCE. The Coordinator of Inter-American Affairs, Mr. Rockefeller. He paid for a large part of that trip.

Mr. O'NEAL. How much of that was paid for out of this appropriation; I mean the travel amount?

Mr. VANCE. I think it was about \$700.

Mr. O'NEAL. And the balance was taken care of how?

Mr. VANCE. The balance was taken care of by Mr. Rockefeller's office.

Mr. O'NEAL. You feel that that trip was well worth while, and you acquired material—

Mr. VANCE. That it would have been impossible to get otherwise; there is no question about that.

BOOKS FOR THE SUPREME COURT

Mr. O'NEAL. The next item is books for the Supreme Court. There is no change in that item?

Mr. MACLEISH. There is no change in this item, Mr. Chairman.

Mr. O'NEAL. What amount have you spent in this fiscal year?

Mr. CLAPP. As of December 31 we spent \$4,703.02; as of February 28, \$12,026.98.

Mr. O'NEAL. What did you spend in 1942?

Mr. CLAPP. \$19,996, with \$4 returned to the Treasury. The Supreme Court is very careful with this appropriation.

Mr. O'NEAL. I presume this is just keeping the Supreme Court library current

Mr. MACLEISH. Their working library; yes, sir. It is a duplication of working library books; but on reference materials, foreign materials, and the rarer materials, they do not make any attempt to duplicate us.

BOOKS FOR ADULT BLIND

Mr. O'NEAL. We now come to books for adult blind. The estimate for 1944 is the same amount as was appropriated for 1943, \$370,000, plus a supplemental of \$20,000. You are asking the same amount for 1944?

Mr. MACLEISH. That is right.

Mr. O'NEAL. Will you explain this appropriation for books for adult blind, and what has been done with the money?

Mr. MACLEISH. Yes, sir. The appropriation for books for the adult blind has been made since 1931, with the purpose of enabling the Library of Congress to provide books in Braille and Moon, which are the two forms of books for the blind in raised types, and on "talking book" records, which are for those who cannot read raised print.

TALKING BOOKS

By far the larger part of this appropriation goes for the preparation of books for the adult blind in the talking-book form.

Mr. O'NEAL. Which method consumes the larger part of the appropriation?

Mr. MACLEISH. \$100,000 is for books in raised types, and \$250,000 for books on sound-reproducing records.

Mr. O'NEAL. Those are very popular, are they not?

Mr. MACLEISH. Yes, sir. Very few blind people in their old age, or who have been blinded in adult life by acts of violence—soldiers, for example—are able to read Braille or Moon easily, and the talking book provides a means of entertainment and instruction which is really remarkable.

Mr. O'NEAL. You might make a selection of the types of literature that you supply, and put them in the record.

Mr. MACLEISH. We will do that for the record.

(The statement requested is as follows:)

*Types of books (by subject) supplied under the appropriation "Books for adult blind,"
Fiscal year 1942*

Subject	Books in raised characters				Sound reproduction records, “talking books”	
	Braille		Moon			
	Titles	Volumes	Titles	Volumes	Titles	Records
Archaeology.....					1	732
Biography.....	28	2,626	1	125	8	11,692
Braille manuals, lists, etc.....	1	5,000				
Cooking.....	1	29				
Description, travel, adventure.....	9	728	1	120	6	8,762
Drama.....	2	78				
Economics.....	1	52				
Education.....	2	312				
Essays and belles lettres.....	2	52			3	2,962
Fiction.....	77	6,920	14	2,002	82	191,518
Fine arts.....	2	182				
History.....	29	3,016	3	275	6	9,736
Knitting.....	1	87				
Law.....	1	130				
Literary history and criticism.....	1	78			2	240
Magazines.....	9	36,391	1	516		
Music.....	1	234			2	976
Poetry.....	4	88			5	3,004
Political science.....	4	338			5	2,727
Radio.....	1	52			1	2,496
Religion, ethics, philosophy, and psychology.....	6	468	1	25	8	4,060
Science and natural history.....	3	208			6	7,190
Sociology and social conditions.....	4	416			1	2,135
Vocations and vocational guidance.....	3	312				
Total.....	192	57,797	21	3,063	136	248,230

NOTE.—The number of "titles" indicates the number of separate or individual works. The number of "volumes" or "records" indicates the totals of the editions distributed. The sizes of the editions of particular works varied from 30 to 100 copies in accordance with the anticipated demand for each.

DISTRIBUTION OF SERVICES FOR ADULT BLIND

Mr. O'NEAL. What is the method of distribution of these two forms of service?

Mr. MACLEISH. The talking books are distributed through local libraries—the distributing libraries which are listed at the bottom of page 57 of our estimates. There are 27 of these regional libraries, and the libraries (or other agencies for the blind) also circulate the machines on which these talking books are "played."

Mr. O'NEAL. They are played on the records and the people go to the library to hear them?

Mr. MACLEISH. No, sir; they get them from the libraries. They are loaned out from the libraries. The blind reader must have a talking machine, which has to be specially manufactured, because these are slow revolving records. These revolve at 33 $\frac{1}{3}$ r.p.m., whereas

the usual commercial record revolves at about 75, as I recall, and it is consequently necessary to have special machines to read them. The slower revolution, of course, is for economy's sake. You can get much more on these records than on ordinary ones.

PERCENTAGE OF BLIND POPULATION REACHED BY BOOKS

Mr. O'NEAL. How complete a coverage do you think you have of the adult blind population?

Mr. MACLEISH. I would rather have Mr. Clapp answer that. It is my impression that we cover the adult blind population of the country pretty completely at the present time, but it is also my impression that we are by no means ready to deal with the kind of situation that is apt to occur after this war. We have, as you will note in our justifications, a committee at work on that. We are at work with the blind insitutions to see what the anticipated needs might be.

Mr. CLAPP. With respect to Braille, we reach everybody that wishes to be reached; that is, we cover the country 100 percent. With respect to talking books, we do not cover the country 100 percent for the reason that the number of machines is limited to 23,000. So we cover 23,000 out of a possible 100,000.

Mr. O'NEAL. The amount you are asking for, for personal services, is \$17,260; the balance is in costs. Can you break down this item of \$90,675 as to what the cost of the individual book is, or give us some picture of that figure?

Mr. CLAPP. Yes, sir; I can give you that for the fiscal year 1942, showing actual figures.

(The statement requested is as follows:)

Cost of books for adult blind, fiscal year 1942

	Number of titles	Number of volumes or containers	Number of records	Average cost			Total cost
				Per volume or container	Per copy	Per record	
Books in raised characters:							
Braille books.....	192	57,797	}	\$1.67	\$6.61	-----	{ \$80,312
Moon books.....	21	3,063					
Sound reproduction records:							
"talking books".....	136	16,086	250,702	12.30	13.29	\$0.86	240,522

Mr. CLAPP. Here are some typical costs of books.

We purchase books, either in Braille or as talking books in a number of copies according to the expected demand. For instance, of popular fiction we will buy 100 copies. If it is a legal textbook we may not cause to be printed more than 30 copies. The usual edition runs from 40 to 75. The more restricted the edition, the more costly the individual copy.

Here is a typical one: What the Individual Citizen Should Know About Civilian Defense. Twenty-six copies were printed in Braille, and the entire edition cost \$135. There were 44 copies produced as talking books, and the entire edition cost \$669. So the comparative

cost was \$5 per copy for the Braille and \$15 for the talking book edition.

Mr. O'NEAL. To whom was that cost paid? Was it the American Printing House for the Blind for the Braille books?

Mr. CLAPP. Yes, sir.

Mr. O'NEAL. How about the records?

Mr. CLAPP. There are only two sources for making records. One of them is the American Printing House for the Blind, and the other is the American Foundation for the Blind. We ask for bids, although we are specifically relieved from that by the law, but we do it nevertheless. We award on consideration of the lowest bid, but also in certain instances on consideration of the ability of the manufacturer to meet the current demands. Then he bills us for the entire amount, and we pay as we would any commercial dealer.

Mr. O'NEAL. Then you distribute them to these libraries?

Mr. CLAPP. Then we distribute them to these libraries, and they in their turn send them by mail to the blind readers. You notice that the mailing container bears the legend "United States Mail, Free." The Congress has enacted legislation permitting these books to go free through the mails.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I would like to ask the gentleman a question in relation to the title of that book that he has just quoted. What the Citizen Should Know About Civilian Defense. I just wonder what interest that would have to a blind person?

Mr. CLAPP. I would like to check up on that, but I believe this title was requested by groups of the blind.

Mr. MACLEISH. It would be my impression that it contains information about what to do in case of air raids.

Mr. CLAPP. Yes; especially in connection with the blind themselves.

Mr. CLAPP. With regard to the history of these records, the talking book was developed by the American Foundation for the Blind in New York, and for several years the Foundation was the only dealer from whom we could purchase, and we could therefore purchase without invoking competition. As a matter of fact, there was no competition. Then other manufacturers entered the field and we were compelled to require competition. However, before we could ask for bids, we had to establish specifications. The Bureau of Standards could not help us in drawing up these specifications; the industry could not help us, although we applied to both. We applied to the National Archives, which had a sound studio and a sound engineer. We issued our specifications, and they were not perfect, and a dispute arose involving the award of the contract under the specifications we had issued. It required a simple amendment to our specifications so as to secure the product that we wanted. It was a momentary dispute on specifications.

REPAIR OF TALKING BOOKS

Mr. MACLEISH. Might I say one word about the \$20,000 item for the repair of talking books? That has already been appropriated, of course. I simply want to make the report that there are no new machines being produced, and unless we keep these in repair we will be without them.

Mr. O'NEAL. In other words, you cannot purchase new ones?

Mr. MACLEISH. We cannot purchase new ones.

FEES, SALES, AND OTHER RECEIPTS OF THE LIBRARY OF CONGRESS

Mr. O'NEAL. I wonder if I asked you to insert in the record a statement showing all funds coming into the Library, or any department thereof, by gift or grant or otherwise, and also any earnings. I would like to show the income of the Library, and the earnings, for the record.

(The statement requested is as follows:)

Earnings of the Library of Congress from fees, sales, etc., and other receipts, paid into the U. S. Treasury in the fiscal year 1942¹

Copyright fees-----	\$350,078. 80
Sales of card indexes-----	329,703. 94
Fines and penalties-----	146. 28
Unclaimed moneys, Copyright Office-----	10. 40
Reimbursements for Government property lost or damaged-----	33. 76
Sales of scrap and salvaged materials, condemned stores, waste paper, refuse, etc-----	1,175. 95
Contributions to the Library of Congress gift fund, act March 3, 1925 (43 Stat. 1107)-----	149,278. 63
Contributions to the Library of Congress trust fund, permanent loan account, act March 3, 1925 (43 Stat. 1107)-----	17,721. 13
Income from the Library of Congress trust fund, investment account, act March 3, 1925 (43 Stat. 1107)-----	27,538. 75
Total receipts-----	\$681,149. 13

¹From U. S. Treasury Department: Combined statement of receipts, expenditures, and balances of the United States Government for the fiscal year ended June 30, 1942, p. 41.

PRINTING AND BINDING, LIBRARY OF CONGRESS

Mr. O'NEAL. The next item is printing and binding. The appropriation for 1943 is \$260,000; and I think this must be a misprint; it says \$360,000 for 1944.

Mr. MACLEISH. No, sir; it is not a misprint. That is a request for the return of the amount by which this appropriation was reduced last year.

I referred to this briefly in my introductory statement. The general picture is that when we originally got the increase of \$100,000 we had what we estimated was about a million and a quarter of back binding to be done, in addition to the new binding which has to be done every year. We made some headway there, but we estimate that we have got at least \$1,000,000 worth still to do. Now the question is one obviously of balance. The longer we delay, the more costly it is going to be to put this material in repair. If not repaired, it will continue to deteriorate slowly, and may not in the end be as useful or as usable as it would be if it were now put into shape.

Broadly speaking, as we see the picture, it will be good economy to keep up with repairs as they are needed; but we recognize, of course, that there are many considerations here.

Mr. O'NEAL. Of the estimate of \$360,000, what amount is for binding and what amount is for printing?

Mr. CLAPP. About \$35,000 for miscellaneous printing, \$25,000 for publication, and the remainder for binding.

Mr. O'NEAL. What is the character of this binding that should be undertaken and carried on?

Mr. MACLEISH. It is the binding of all the older material of the Library. We brought over a few samples.

Mr. O'NEAL. They are chiefly books, are they?

Mr. MACLEISH. The older material is all books; yes.

Mr. O'NEAL. How about newspapers and magazines?

Mr. MACLEISH. That is new binding that comes along every year.

Mr. O'NEAL. But in this printing and binding generally, it is entirely books, and books that you feel are deteriorating and are valuable parts of the Library, and should be preserved by binding as quickly as possible?

Mr. MACLEISH. On page 62 of the justifications you will find that we have 13,000 volumes of periodicals and newspapers, and 25,000 volumes of documents awaiting binding.

Each year, on the average, approximately 20 percent, or one-fifth, is new binding.

Mr. O'NEAL. In other words, that is current binding, is it?

Mr. CLAPP. Yes, sir. I can give you a figure on that. Approximately \$150,000 is for the new binding.

Mr. MACLEISH. That is the new binding waiting to be bound.

Mr. O'NEAL. What was that 20 percent figure that you gave?

Mr. MACLEISH. Mr. Clapp was talking about the usual division.

Mr. O'NEAL. And this \$150,000 includes everything that comes in that you feel should be bound, and your practice each year has been to bind about that amount, and costing about that amount?

Mr. MACLEISH. Our binding of new material per year has run about that amount, and the balance is available for the rebinding of old materials which have deteriorated, and it is there that we feel this pressure. The present appropriation, in other words, would enable us to bind our new materials, but would give us very little to work on our old materials.

Mr. O'NEAL. For instance, manuscripts, sheet music, and so forth, should be preserved in some other form?

Mr. MACLEISH. They should be preserved in their original form, I should say, if possible. The manuscripts and sheet music, I should say, should be made usable.

Mr. CLAPP. Mr. Chairman, I gave the wrong figures, I am sorry. What we ordinarily spend each year for new binding is about \$150,000, and for old binding, including maps, prints, manuscripts, etc., about the same, when the total appropriation is \$360,000. Ordinarily we do not make a distinction between old binding and new binding. We send material to the bindery, fitting in the new and the old as we can.

The figures presented on page 62 of the justifications are not what we expect to do next year. It is an account of the present material awaiting binding. It will cost much more than \$150,000—much more than \$360,000. We are not asking funds for binding these 380,000 pieces.

Mr. O'NEAL. This is your backlog?

Mr. CLAPP. This is our backlog; that is correct.

Mr. O'NEAL. None of your current bindings come in under new bindings or rebindings; is that right?

Mr. MACLEISH. That is the backlog.

Mr. O'NEAL. And exclusive of new bindings, newspapers and periodicals in general are now in the Library awaiting the same treatment?

Mr. MacLeish. That is right; yes, sir.

Now, what is the annual expenditure for new binding of current material coming in during the year?

Mr. Clapp. This year we have \$260,000 in the entire printing and binding appropriation.

Mr. O'Neal. How much of that would keep the work current with what is coming in?

Mr. Clapp. Of that, \$35,000 is used for miscellaneous printing.

Mr. O'Neal. That is your normal printing?

Mr. Clapp. That is right.

Mr. O'Neal. Then the \$225,000 would be available for—

Mr. Clapp. New binding and old binding.

Mr. O'Neal. What is your ordinary program for binding?

Mr. Clapp. Merely estimating, about one-fifth of the total is for new binding, and the remainder would be for old binding.

Mr. O'Neal. Then about \$1,000 would be your current needs?

Mr. Clapp. Ordinarily; but this year, with the entire backlog, this is the way we would apportion it.

Mr. O'Neal. In reality, then, you are asking for \$180,000 to take care of the backlogs; is that correct?

Mr. Clapp. Yes, sir; for this year.

Now, for next year, we are asking for an additional \$100,000.

Mr. O'Neal. Now, to do what you are asking for next year, what will that cost? You are asking for \$180,000 this year toward fixing up this backlog.

Mr. MacLeish. The estimate that we give in our justification is that there is about a million dollars' worth of back binding to be handled. We believe the estimate would handle that whole business.

Mr. O'Neal. Not counting anything that you had this year—1943?

Mr. MacLeish. That is right.

Mr. O'Neal. And you are asking \$180,000 for this year?

Mr. MacLeish. Yes, sir.

Mr. Andersen of Minnesota. Mr. Chairman, I would like to ask Dr. MacLeish a question at this point.

How much, in your opinion, does such a volume (indicating) deteriorate; at what rate? Would you say one or two percent depreciation a year, if it is not handled in any way? The point I want to bring out is that we have got to look ahead for what happens after this war is over, and I would like to see a backlog of a job like that, if it could be obtained without injuring the volumes too much; to leave a lot of them until after the war, to give employment to a lot of these people who will undoubtedly be out of work at that time. It seems to me that here is a place where we could very easily give consideration to creating a little employment after the war.

Mr. MacLeish. That question goes very deep. It is very difficult to say what rate of deterioration it would be, but I should say that with a volume in that state the deterioration that we might expect in two or three years would be quite inconsiderable. Of course, if it is kept in use, it will deteriorate very rapidly; but if it is placed on a separate shelf, I do not believe there will be much further deterioration. We take such books out of circulation when we can.

Mr. ANDERSEN of Minnesota. There is another factor which would enter the case. Suppose the war, as we all hope, will be at an end three years from now; undoubtedly the cost of binding will become much less than it is today.

Mr. MACLEISH. It is high now; yes. I have no idea what it will be, but it is high now. We are trying to produce a cheap binding now. There is an example (indicating).

Mr. ANDERSEN of Minnesota. I was watching the binding process at the Library the other week, and it was very interesting.

MISCELLANEOUS PRINTING

Mr. O'NEAL. You say the printing item is \$35,000. Have you a breakdown of that?

Mr. MACLEISH. Yes, sir; we can give you a breakdown of that.

Mr. O'NEAL. I want to find out how you plan to spend the money.

Mr. CLAPP. It is used chiefly for the miscellaneous printing of forms for the Library.

Mr. O'NEAL. Do you mean the little slips that you hand in when you get a book?

Mr. CLAPP. Yes, sir; and the forms on which the accounts are written up.

Mr. O'NEAL. How much has been spent on that in 1943?

Mr. CLAPP. On just miscellaneous printing?

Mr. O'NEAL. On the printing item.

Mr. CLAPP. On the whole printing and binding item we have obligated, as of December 31, \$168,814.46, and on February 28th \$177,000.

Mr. O'NEAL. I understand that in this estimate you are asking for \$360,000 for 1944.

Mr. CLAPP. Yes; we can break that down.

Mr. O'NEAL. You will put in a breakdown?

Mr. CLAPP. Yes, sir.

(The breakdown referred to is as follows):

Printing and binding, general detail of obligations

	1942, actual	1943, estimate	1944, estimate
Binding:			
Books, newspapers, periodicals, pamphlets:			
New binding (approximate amounts):			
Full binding.....	\$112,000	\$70,000	\$112,000
Quarter binding.....	15,000	15,000	15,000
Newspapers.....	24,000	22,000	24,000
Pamphlets stitched into binders.....	2,500	2,000	2,500
Total, new binding (approximate).....	153,500	109,000	153,500
Rebinding and repair (approximate amounts):			
Rebinding, books.....	100,000	60,000	113,000
Minor repairs, books.....	1,000	1,000	1,000
Newspapers.....	300	100	500
Documents.....	1,500		
Rare books.....	2,500	2,400	2,500
Total, rebinding and repair (approximate).....	105,300	63,500	117,000
Prints and fine arts books, processing.....	5,942	5,500	5,500
Manuscripts, processing.....	8,042	8,000	8,000
Maps, processing.....	6,077	5,500	6,000
Miscellaneous (binders, lettering, boxes, drilling cards, cutting boards and sheets, dummies, guide cards, guarding plates, pads, mouscling, special folios, etc.).....	13,651	8,500	10,000
Total, binding.....	292,512	200,000	300,000

Printing and binding, general detail of obligations—Continued

	1942, actual	1943, estimate	1944, estimate
Printing:			
Miscellaneous printing (forms, labels, entry-cards, form-letters, billing, tabulating, statistical, accounting, personnel, inventorial, and other record forms, informational notices and leaflets, certificates, etc.):			
Accessions Division.....	\$1, 221	\$1, 500	\$1, 500
Card Division.....	3, 578	1, 500	1, 500
Copyright Office.....	12, 522	12, 000	12, 000
Music Division.....	1, 045	1, 000	1, 000
Periodical Division.....	529	500	500
Personnel Office.....	2, 421	2, 500	2, 500
Reading rooms.....	2, 642	2, 500	2, 500
Supply office.....	4, 241	4, 000	4, 000
Tabulating office.....		2, 000	2, 000
Other.....	7, 800	7, 500	7, 500
Total, miscellaneous printing.....	35, 999	35, 000	35, 000
Publications.....	28, 215	25, 000	25, 000
Total obligations.....	356, 726	260, 000	360, 000
Savings.....	3, 274		
Total estimate or appropriation.....	0, 000	260, 000	360, 000

PRINTING CATALOG OF TITLE ENTRIES OF COPYRIGHT OFFICE

Mr. O'NEAL. For printing the catalog of title entries of the Copyright Office, the appropriation for 1943 was \$45,000, and the estimate for 1944 is the same amount.

Will you explain that?

Mr. MACLEISH. This is the cost of printing the catalog of entries in the Copyright Office that that Office is obliged to publish by law.

In this estimate we are asking for the same amount, but we can make a saving of \$10,000. We changed to the photolitho process last year. We were not able to get the special machines necessary for preparing the copy until February 1, 1942, and since then we have had difficulty in getting skilled operators for them. Based on our experience we have already effected a saving of over \$7,000, and we think we can save \$10,000.

Mr. O'NEAL. Do you think we can take off \$15,000?

Mr. CLAPP. I would be afraid to do that because we are finding it very difficult to get skilled, competent operators. Because of the lack of an operator we may be forced to print some of these bulletins from type.

Mr. O'NEAL. There is an income from that department?

Mr. CLAPP. Yes. The amount for the fiscal year 1942 was \$351,158.

Mr. O'NEAL. That goes into the Treasury?

Mr. CLAPP. Yes, sir.

PRINTING CATALOG CARDS

Mr. O'NEAL. The next item is for printing catalog cards, for which the appropriation for 1943 was \$200,000. The estimate for 1944 is \$260,000.

Will you explain that increase?

Mr. MACLEISH. This increase reflects the rise in costs. The cost of printing rose in some instances as much as 12 percent per card

in 1942, principally due to increase in cost of the card stock. It also reflects the increase in production of catalog card copy.

Mr. O'NEAL. Those cards are printed at the Government Printing Office?

Mr. MACLEISH. Yes; we use our branch printing office.

Mr. O'NEAL. On the basis of the figures of the Public Printer you think this work will require that amount?

Mr. MACLEISH. Yes.

Mr. O'NEAL. What is the income from this?

Mr. MACLEISH. The income derives from catalog cards which are sold through the Card Division, about which we talked this morning. That Division is practically even or operates at a slight loss which we will make up by a slight rise in the price of the cards.

Mr. O'NEAL. The income from that activity was how much?

Mr. CLAPP. The income realized from the sales of cards in 1942 was \$331,219.

Mr. O'NEAL. And that money goes into the Treasury?

Mr. CLAPP. Yes.

CONTINGENT EXPENSES OF THE LIBRARY

Mr. O'NEAL. The next item is for "Contingent expenses of the Library," for which the appropriation for 1943 was \$19,400. The estimate for 1944 is \$20,800.

Mr. MACLEISH. Here again we are trying to make economies wherever we can. We do have a slight addition for the rental of tabulating equipment. We have found that we can achieve a very considerable saving if we can secure additional equipment, and we would like to do so if we can.

Mr. O'NEAL. Your travel item is running regularly at about \$500?

Mr. CLAPP. Obligations as of February 28 totaled \$177.50. In 1942 total obligations were \$1,133, but we stayed well within the limitation of \$500 for expenses of attendance at meetings.

RENTS AND UTILITY SERVICES

Mr. O'NEAL. For "Rents and utility services" the estimate for 1944 is \$8,900. What is that broken down into?

Mr. CLAPP. That is for tabulating equipment entirely. It came to \$6,818 in 1942.

Mr. O'NEAL. What have you spent on it to date in this fiscal year?

Mr. CLAPP. We have obligated the entire amount because the tabulating equipment is rented for the entire year.

SUPPLIES AND MATERIALS

Mr. O'NEAL. For supplies and materials the estimates for 1944 is \$10,500. What is included under that item?

Mr. CLAPP. That is for all sorts of office supplies.

Mr. O'NEAL. What is the latest figure on that?

Mr. CLAPP. As of February 28 the amount of expenditure was \$5,935.84.

Mr. O'NEAL. Does that include desks?

Mr. CLAPP. No; that is under the furniture item.

Mr. O'NEAL. Are any typewriters included?

Mr. CLAPP. No; that is also under the furniture item.

FURNITURE AND EQUIPMENT

Mr. O'NEAL. The furniture item is on the next page.

Mr. CLAPP. Yes, sir.

Mr. O'NEAL. For furniture the appropriation for 1943 was \$28,673, and the estimate for 1944 is \$17,500.

Will you explain that item?

Mr. MACLEISH. We will not need all of these items; we will not need any items for special projects. We will not need \$6,000 for metal trays in the Card Division; we will not need \$6,673 for special equipment in the Manuscripts Division, and we will not need \$1,000 for reading lamps in the main reading room. Therefore we have as a base for 1944 \$16,000. We are asking for \$2,500 additional for miscellaneous equipment.

Mr. O'NEAL. What had you in mind there?

Mr. CLAPP. That is for increases in costs also.

Mr. O'NEAL. What are the items?

Mr. CLAPP. For equipment, desks, lockers, and typewriters, if we can get them, but we cannot get them.

Mr. O'NEAL. Can you get lockers?

Mr. CLAPP. We hope to be able to get wooden lockers.

Mr. O'NEAL. Are they are expensive as the others, as far as the initial cost is concerned?

Mr. CLAPP. That is approximately the same. But they will take up more room. The other items are for the miscellaneous recurrent equipment of the buildings.

Mr. O'NEAL. What did you spend in 1943?

Mr. CLAPP. Up to December 31, 1942, we had obligated \$8,654.14, and to February 28, 1943, \$9,819.

PHOTODUPLICATING EXPENSES

Mr. O'NEAL. The next item is for personal services, paper, chemicals, and miscellaneous supplies, for which the appropriation for 1943 was \$28,235, and the estimate for 1944 is \$26,780. Can you make any further saving there?

Mr. MACLEISH. We will not need for photoduplicating supplies \$1,455. This item takes care of various items for the photoduplicating services of the Library, including a very valuable project for micro-filming newspapers.

Mr. O'NEAL. The amount for personal services is \$15,780, and the balance is made up for supplies and materials and equipment.

What is the \$10,000 to be spent for?

Mr. CLAPP. The greater part of it will be used for the official photoduplicating services of the Library.

Mr. O'NEAL. That is for the purchase of the microfilms?

Mr. CLAPP. Yes; and the chemicals, and so forth. If there is any left over from the usual office routine expenses it will be used for the increase of the collections.

Mr. O'NEAL. And the balance?

Mr. CLAPP. The balance of \$5,000 is used for film used in the newspaper project.

Mr. O'NEAL. That is enough for the film being purchased?

Mr. CLAPP. Yes, sir. Here is a film of the Washington Post covering Dewey's entry into Manila Bay. The original newspaper [exhibiting] is in such a state that it will hardly be used more than once or twice ever again. The committee, you will recall, approved the project for reproducing on film these disintegrating newspapers of the 90's.

Mr. O'NEAL. The \$5,000 is for the microfilm for the newspapers?

Mr. CLAPP. Yes, sir.

Mr. O'NEAL. How much of that work has been done to date? I suppose there is a limit to the amount that could be done?

Mr. MACLEISH. We have accomplished a good deal. We estimated that we would copy about 700,000 pages in 1942, but we did 812,250 pages in 8 months, or at the rate of 1,200,000 pages a year.

Mr. O'NEAL. What papers do you microfilm? Do you try to take them from different sections of the country?

Mr. CLAPP. No, sir; because of the advantages of cooperative arrangements with newspaper publishers we have taken those papers where we could effect such arrangements.

Mr. O'NEAL. You did not take the ones stored in the Library?

Mr. CLAPP. Yes, sir.

Mr. MACLEISH. This project contemplated cooperation on the part of the newspapers, the newspapers to join in paying for the cost of the negatives.

Mr. CLAPP. The first one to offer himself and who had offered himself before the appropriation was made, was the publisher of the Washington Star. We have now done the Washington Star completely and have done most of the Washington Post completely. We will seek for a similar cooperative arrangement with other publishers and libraries. We have taken runs of some other newspapers over critical periods like the 90's and paid the full cost ourselves rather than see the paper disintegrate before we could effect a cooperative arrangements.

Mr. O'NEAL. To date you have microfilmed the Star and the Post completely?

Mr. CLAPP. Or substantially complete.

SECURITY OF COLLECTIONS

Mr. O'NEAL. The next item, on page 112 of the committee print, is for the security of collections:

Security of collections: The sums appropriated under this head in the First Deficiency Appropriation Act, 1942, to enable the Librarian to effect precautionary measures for the security of the collections of the Library of Congress, including the objects specified thereunder, are hereby made available for obligation until expended.

Do you care to make a further statement about that?

Mr. MACLEISH. I do not think anything is necessary, Mr. Chairman, except to point out that the anticipated unobligated balance as of June 30, 1943, will be approximately \$59,000 and that we will continue to have expenses in this connection. We pay salaries of guards and incur some expenses for inspection.

Mr. O'NEAL. You think that is needed?

Mr. MACLEISH. Yes; our most precious treasures are there and we hope that the balance can continue to be made available to us.

SALARIES, LIBRARY BUILDINGS

Mr. O'NEAL. The next item is for the Library buildings, for salaries for the superintendent and other personal services, for which the appropriation for 1943 was \$275,556. The estimate for 1944 is \$316,249.

Will you explain that?

Mr. MACLEISH. The legislative increases in salary ranges account for \$38,833, and we are asking for one new position at \$1,860. That is an automobile mechanic. We have six trucks at the Library and two passenger automobiles, with no mechanic. We have been able, on infrequent occasions, to get the services of the mechanics from the office of the Architect of the Capitol, but this arrangement provides insufficient mechanical aid.

Mr. O'NEAL. Are you optimistic about getting mechanical aid?

Mr. MACLEISH. I am afraid we are.

Mr. O'NEAL. How are you now having your vehicles repaired?

Mr. CLAPP. We do not have them repaired ourselves. We send them out to a garage, and that is a costly and inefficient operation, because we only send them when they actually break down.

Mr. O'NEAL. Does not some department of the Government have a shop where such repairs are made?

Mr. CLAPP. The Post Office Department has.

Mr. O'NEAL. Can you not make an arrangement with them?

Mr. CLAPP. We will try.

Mr. MACLEISH. I believe we should withdraw this item in the interest of economy. I do not believe we can possibly get a mechanic.

Mr. O'NEAL. The amount for salaries has been running about the same?

Mr. CLAPP. No, sir; it has been running ahead because of the legislative increases in salary ranges, and on account of the additional 10 percent. On account of the legislative increases in salary ranges which had to be paid under Public Law 694, we had obligated \$142,937 by December 31, 1942, and that was before the 10 percent additional compensation came into the picture. On February 28 we had spent \$217,301, and I expect to run into the red by April.

Mr. O'NEAL. How much of a turn-over do you have?

Mr. CLAPP. The turn-over was very bad indeed, especially in the guard force during the first 6 or 8 months of the war. Almost all of the men in the guard force were reservists and they were called into service, but we have reached a more stable situation now, especially since the legislative increases went into effect.

Mr. O'NEAL. You have had no deferments?

Mr. MACLEISH. No, sir; the only deferments we referred to this morning.

Mr. O'NEAL. How many guards are there? In what class does the greatest number of these people come?

Mr. CLAPP. There are 62 guards.

Mr. O'NEAL. And the 106 referred to here are charwomen?

Mr. CLAPP. There are 62 guards, 4 head charwomen working 3 hours a day, and 106 charwomen working 3 hours a day.

SUNDAY OPENING OF LIBRARY BUILDING

EXTRA SERVICES OF EMPLOYEES

Mr. O'NEAL. On page 115 of the committee print there is an item for extra services of employees and additional employees to provide for the opening of the Library buildings on Sundays and on holidays, of which \$700 shall be made available immediately. The latter language, "of which \$700 shall be made immediately available," is new language. What is the necessity for that?

Mr. MACLEISH. This is the same situation as that with reference to employees of the Library proper, as to the Sunday opening. You have the same paradoxical situation here, only more so. The charwomen can get 65 cents an hour by staying at home on a holiday, and only get 62½ cents an hour for coming to work, which is time and a quarter of the old weekday rate.

It is not quite as pressing as it might be because we work on holidays now. The situation is difficult because it will be increasingly difficult to get people to come in on Sunday unless we can pay the overtime rate.

Mr. O'NEAL. You think that is all mandatory, do you?

Mr. MACLEISH. It is not mandatory, Mr. Chairman, in this sense. There is always a question whether the Library should be open. That goes back again to the question asked this morning as to the nature of the use of the Library on Sunday, and we are pretty well agreed that the use made of the Library on Sundays is a very practical use indeed.

Mr. O'NEAL. What can you say about the number of people who use it on Sunday as compared with the number who use it on weekdays?

Mr. MACLEISH. The figures will run up to as many as three or four thousand people who use it on Sunday.

Mr. O'NEAL. Does that include tourists?

Mr. CLAPP. No; 2,842 readers was the high for the fiscal year 1942 and the low for 1942 was considerably below that; not more than 400 readers.

Mr. O'NEAL. The tourist crowd comes in more on weekdays?

Mr. CLAPP. Yes; but they do not go into the reading rooms.

Dr. EVANS. There are not as many tourists as formerly.

Mr. MACLEISH. We are trying to make up for the lack of some of our treasures by having more interesting exhibits.

MAINTENANCE OF LIBRARY BUILDING

Mr. O'NEAL. You have an item on page 116 for "Mail, delivery, and so forth, for the maintenance of the Library Building," for which the appropriation for 1943 was \$18,200 and the estimate for 1944 is \$16,685.

That includes an item of \$2,100 which the justification states is not needed for uniforms for guards.

Will you explain that?

Mr. MACLEISH. The provision for uniforms for guards has previously been on a biennial basis, and we would like to put it on an annual

basis and get half of the whole amount in each year instead of the whole thing every 2 years.

We are asking for \$585 for supplies and materials under this heading.

Mr. O'NEAL. I do not understand the statement you have made.

I was asking about this item on page 116 of the committee print of the bill, for which the appropriation for 1943 was \$18,200, and the estimate for 1944 was \$16,685.

The amount of \$10,500 is listed for general telephone service.

You spoke about uniforms for guards. What amount did you say you are asking for?

Mr. MACLEISH. We are asking for \$2,100.

Mr. O'NEAL. For supplies and materials the estimate is \$3,100. What does that include?

Mr. CLAPP. That includes such things as soap, cleaning powder, and similar supplies used in the maintenance of the building.

Mr. O'NEAL. The estimate for general telephone service is \$10,500.

Mr. CLAPP. That is for general telephone service, which does not include long-distance calls, which are paid for out of the contingent fund.

Mr. O'NEAL. You mean that is for the local service?

Mr. CLAPP. For the rental of the equipment such as instruments and switchboard and the cost of local calls, and departmental calls over the Government switchboard.

Mr. O'NEAL. Do you have the figure on that?

Mr. CLAPP. No.

Mr. O'NEAL. You have one switchboard?

Mr. CLAPP. We have one manual and one automatic switchboard.

Mr. O'NEAL. You have to pay for calls over and above a certain number?

Mr. CLAPP. No; calls through the switchboards inside the buildings are not paid for at all. The cost of calls to the Government agencies over the Government switchboard is 1 cent per call, and the cost for local calls varies from 5 to 3 cents.

Mr. O'NEAL. Do you have pay telephone booths?

Mr. CLAPP. For the employees?

Mr. O'NEAL. For the users of the Library; do you have pay booths?

Mr. CLAPP. Yes, sir. As a matter of fact, we get regular reports from the telephone company showing receipts to the Government from the use of these booths.

(Discussion off the record.)

ALIENS EMPLOYED IN THE LIBRARY OF CONGRESS

Mr. O'NEAL. Dr. MacLeish, will you insert for the record a statement of the aliens employed in the Library of Congress under the special limitation provided in the act?

Mr. MACLEISH. We have such a statement here.

Aliens employed in the Library of Congress, Feb. 15, 1943

A. PERSONS WHO WERE IN THE SERVICE OF THE LIBRARY ON JULY 1, 1941, AND WHO HAD THERETOFORE FILED DECLARATIONS OF INTENTION TO BECOME CITIZENS OF THE UNITED STATES

Name	Place of birth	Date and place of first naturalization papers	Date of appointment
Baumgardt, David	Germany	Philadelphia, Pa., May 29, 1940	Apr. 15, 1941
Ellinger, Werner T	do	Brooklyn, N. Y., August 1937 (final hearings concluded; examination and oath pending).	Apr. 14, 1941
Ficker, Herthan	South Africa	Washington, D. C., July 1940	Aug. 5, 1940
Hilberstaedter, Claus	Germany	New York, N. Y., Oct. 11, 1937 (final hearings concluded; examination and oath pending).	Mar. 11, 1941
Korsstrom, Karin	Finland	Washington, D. C., June 30, 1941	Oct. 16, 1939
Landheer, Bartholomew	Netherlands	Washington, D. C., Nov. 11, 1938	
Lederer, Max	Austria	New York, N. Y., Aug. 23, 1939	Sept. 24, 1940
Neuberger, Otto	Germany	New York, N. Y., Feb. 2, 1937 (final hearings concluded; examination and oath pending).	Dec. 1, 1937
Rodrigues, Maria	Portugal	Bridgeport, Conn., Feb. 21, 1941	Mar. 28, 1940
Sladek, Trude	Czechoslovakia	Washington, D. C., Nov. 9, 1939	Mar. 4, 1941
Smits, Rudolf	England	Washington, D. C., June 19, 1941	Feb. 17, 1941
Vinokoureff, Michael	Russia	Rockville, Md., Dec. 15, 1941	Feb. 1, 1934
Yakobson, Sergius	do	Alexandria, Va., May 15, 1941	Jan. 15, 1941
Herritt, Gerda	Germany	New York, N. Y., Oct. 22, 1937 (final hearings concluded; examination and oath pending).	May 1, 1939

B. APPOINTMENTS UNDER THE PROVISIO CONTAINED IN SEC. 6 OF THE LEGISLATIVE BRANCH APPROPRIATION ACT, 1943

Name	Place of birth	Citizenship	Date and place of first naturalization papers	Date of appointment
Fang, Chao-ying (on administrative furlough to War Department).	China	Chinese	Not possible	Sept. 1, 1938
Fang, Lienche Tu ¹	do	do	do	Nov. 2, 1942
Han, Philip ²	Korea	Korean	do	May 15, 1942
Léger, Alexis St. Léger	Guadeloupe	French		Jan. 16, 1941
Lu, Da June	China	Chinese	Not possible	Mar. 19, 1928
Mann, Thomas	Germany	German	May 1939	Dec. 1, 1941
Skard, Sigmund	Norway	Norwegian	June 1941	Mar. 17, 1941
Wang, Chung Min	China	Chinese	Not possible	Sept. 1, 1939
Wang, Siu Yeh Liu ³	do	do	do	Dec. 1, 1942
Wu, Kwang Taing	do	do	do	Sept. 1, 1938

¹ Excellence in Chinese language and literature, reason for employment.

² Excellence in Japanese language and cataloging, reason for employment.

³ Excellence in Chinese language and literature, reason for employment.

LIBRARY OF CONGRESS TRUST FUND BOARD

Mr. O'NEAL. You also have an item on page 117 of the committee print for any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, for which the appropriation for 1943 was \$500, and the estimate for 1944 is the same amount.

Will you give us a short statement on that?

Mr. MACLEISH. Those are the expenses in connection with the operation of the Library of Congress Trust Fund Board, established under the law, which administers gift funds and trust funds of the library.

Mr. O'NEAL. We thank you very much for your statement, Dr. MacLeish. We appreciate very much you gentlemen coming before the committee today.

Mr. MACLEISH. We thank you, Mr. Chairman.

WEDNESDAY, MARCH 10, 1943.

GOVERNMENT PRINTING OFFICE

STATEMENTS OF A. E. GIEGENGACK, PUBLIC PRINTER; R. H. HERRELL, ADMINISTRATIVE ASSISTANT TO THE PUBLIC PRINTER; ALTON P. TISDEL, SUPERINTENDENT OF DOCUMENTS; AND JOHN R. KENNEDY, EDITOR, FEDERAL REGISTER

Mr. O'NEAL. We will take up first this afternoon the items for the Government Printing Office.

All of us are very proud of the great organization we have in the Government Printing Office, and we will be glad to have you, Mr. Giegengack, make a preliminary statement before we go into the detailed items in the justifications, if you care to do so.

GENERAL STATEMENT

VOLUME OF BUSINESS

Mr. GIEGENGACK. Mr. Chairman, the volume of business handled by the Government Printing Office during the current fiscal year will be more than three times that handled in 1940. In 1940 it was \$20,000,000, in 1941 it was \$28,000,000, in 1942 nearly \$47,000,000 and from present indications it will run close to \$65,000,000 for the current fiscal year. Your guess is as good as mine as to what it will be next year. Regardless of what it is, either more or less, I believe our organization with the experience we have gained during the last year will be able to handle it satisfactorily.

You understand, of course, that the appropriation we are here considering is to reimburse the Government Printing Office for the work it does for Congress and will not be affected by either an increase or decrease in the demands made upon the Office by the other departments and agencies. The only thing that can affect it would be an increase or decrease in the printing required by Congress. The amount estimated for 1944 was based on your past requirements and will be discussed in more detail under the heading "Summary of appropriation estimates."

NUMBER OF EMPLOYEES

When I appeared before you last year we had 7,660 employees on the rolls in a pay status. We have increased that by only 161 or to 7,821 since that time. While as is the case in all other agencies, the Government Printing Office has been hard hit by the loss of trained personnel. Over 1,000 of its employees are now with the armed forces and not a single deferment has been asked for to date. Its organization is in good shape and the plant and facilities as outlined to you last year are at their best.

PRODUCTION SCHEDULES

The increase in the volume of printing has been handled without any undue delay in deliveries to departments, notwithstanding the fact that much of the printing relating to the war effort allows very limited time for production. A control system shows at all times the available

plant capacity for each operation, the work in process, and the amount of incoming work. The operations in the plant are scheduled for control at four points, namely (1) submission of proof to the department; (2) preparation for imposition of type; (3) completion of presswork; (4) completion of binding operations. On work let under contract a control is likewise maintained in this Office. The contracting printer is informed when he must make delivery. He is required to notify this Office (1) when he receives plates and paper, (2) when the presswork will be started, and (3) when the job will be ready for delivery. Through the continuous control of work in this manner, the Government Printing Office has been in a position to make deliveries on requisitions to departments at a rate of speed equal to or in many cases exceeding that maintained prior to the war.

ESTABLISHMENT OF FIELD WAREHOUSES

When the national-defense program began to get under way about 2 years ago, requisitions from departments and establishments—notably the military services and the war emergency organizations—started to increase both in number and size. Although the Government Printing Office anticipated a continuation of this condition for some time, it was not deemed desirable to expand the plant facilities. Such action would have added to the congestion in Washington, and after the war, would have entailed dismissal of thousands of employees, and a disposal of surplus equipment.

The act of February 28, 1929, provides that such printing, binding and blank book work as the Public Printer is not able or equipped to do at the Government Printing Office may be produced elsewhere under contracts made by him with the approval of the Joint Committee on Printing. Pursuant to this authorization the Government Printing Office initiated a program of having printing done by commercial concerns whenever we were not suitably equipped to execute the work, or whenever the printing could be produced more economically elsewhere, or whenever it appeared otherwise to be in the best interests of the Government. Procurement of commercial printing is governed by specific regulations issued by the Joint Committee on Printing.

As time went on, more and more orders were placed with commercial printers and lithographers. The Government Printing Office furnishes the paper and plates. With the extensive facilities at our command we can buy paper cheaper in the large quantities called for on the semiannual schedule, than any printer can purchase it individually on a particular order. Our practice on the early jobs was to ship this paper from the warehouse in Washington to the printer, who, upon completion of the order, would reship the printed matter to this city, or elsewhere as directed. This practice prevailed on most orders, the only exception being that on large job carload lots were ordered for shipment direct from the mill to the printer. As a whole the arrangement was not entirely satisfactory. Aside from the extra freight costs incurred on shipping paper to a city and then bringing it back, we were often using transportation facilities sorely needed for military purposes.

To overcome this undesirable condition the Government Printing Office established warehouses in New York, Chicago, Baltimore,

Atlanta, Dallas, and San Francisco under leases approved by the Joint Committee on Printing. The warehouses are stocked with paper of the more common grades and sizes, to be available for printing contracts let in that area. If an order is large enough, as for example one requiring a carload of paper, shipment will, of course, be made direct to the printer. The warehouses furnish paper on small jobs and rush work, and receive paper left over on any job. With the exception of Baltimore, they also maintain vaults for storage of electrotype and stereotype plates. As another feature, personnel are assigned to these cities to inspect printing in progress on the larger and more complicated jobs in commercial plants. Formerly this latter work was done by inspectors traveling out of Washington with transportation, per diem allowances, and other attendant costs, now saved under the present arrangement. The recent curtailment order placed by the War Production Board on the production of certain grades of paper may necessitate some enlargement of the space in the warehouses for additional stocks, in order that there may be no delay in the military printing, but until that situation is surveyed the present facilities leased seem adequate for the field warehouses.

PROCUREMENT OF PRINTING FROM COMMERCIAL SOURCES

I outlined to you in some detail in my statement last year (see p. 173 of the hearings) the procedure we were following in the procurement of printing from commercial sources. During the fiscal year 1941 these purchases amounted to \$2,127,000. During the fiscal year 1942 they jumped to \$6,632,000 and for the first 8 months of this fiscal year, or from July 1, 1942, to February 28, 1943, \$18,448,000. This work was placed in 41 States, 237 cities with 981 contractors on 8,859 contracts. In view of the method of selection followed, the close check-up used, and the fact that the Government Printing Office furnishes plates and in nearly all cases paper, the work performed by the commercial plants has generally speaking been very satisfactory.

CONSERVATION OF AND SUBSTITUTION FOR CRITICAL WAR MATERIAL IN THE GOVERNMENT PRINTING OFFICE

Brief mention was made to you in my statement last year as to some of the steps taken to conserve paper and material. Our Technical Division, which was created to perform work in connection with all technical specifications in connection with paper and all other printing material and to test all purchased material for the purpose of maintaining standards of quality, has intensified its efforts since I last appeared before you to find ways and means of conserving critical war materials. I believe you will be interested in a few of the major items involved.

Paper: Unbleached sulfite pulp has been substituted for bleached sulfite pulp in amounts up to 35 percent of the total fiber stock in sulfite papers in order to save chlorine vitally needed in the prosecution of the war. Nonfibrous materials, such as clay, have been increased from 2 to 5 percent in replacement of chemical wood sulfite pulp in papers purchased by this Office.

About 60 percent ground wood pulp is now permitted in writing, machine-coated book, and mimeograph papers. These changes also save in the consumption of sulfite pulp. Wherever possible, lightweight papers are made to replace heavyweight papers; for example, in bond papers substance 40 is used instead of substance 48, that is, we have reduced the weight of a thousand standard sheets of paper 17 by 22 inches from 48 pounds to 40 pounds thus saving 8 pounds of paper on every thousand sheets of this stock used.

Ledger papers have been reduced from substances 80 and 88 to substance 64; index papers from 362 to 280; supercalendered book paper from 160 to 120 and machine-coated book paper from 120 to 100.

Other conservation measures taken include the reduction in the number of sizes in respect to blank paper, forms, and letterheads; utilization of both sides of the sheets in ordinary interoffice memoranda, in mimeographing, and in other duplicating processes; reduction of margins at the top, sides, and bottom of forms and letters in use. General economies have been enjoined upon the users of such papers.

Ink: Castor oil, having been placed under complete allocation, was substituted by mineral oil in the manufacture of mimeograph ink. Tin cans for packing mimeograph ink have been replaced by glass containers and metal has further been conserved by shipping in larger containers, in quantities of 5-pound and 7-pound cans instead of 1-pound cans formerly used. Some conservation of tin cans for packing ink has resulted by the cooperation of Government departments returning upon our request empty cans which we clean for re-use.

Bookbinding materials: All jobs of 4, 8, 12, and 16 pages, formerly stitched with tin steel wire, are now pasted with a newly developed paste, releasing such metal wire to the Army.

A job in point in which you might be interested is that of the Savings Stamp albums. Between January 1, 1942, and January 1, 1943, we printed and delivered to the Treasury Department a total of 200,136,760 stamp albums. Each album was bound with two wire stitches, each requiring an inch of wire. In these books, 33,356,126 feet of wire were used. A high priority is now required for stitching wire, not only because it consists of vital material but also because of the number of dies needed to produce it. Each die can be used for only one spool of wire. We advised the Treasury Department that it would be necessary for them to change the album format to eliminate stitching. We suggested a folder. They readily acceded in albums of larger denominations but insisted that the 10-cent albums be pasted. We wrote specifications and advertised for bids for the pasted album. Not one of the plants invited to bid would undertake the paste manufacture, stating that they could not guarantee it to endure. Again we suggested a folder, and this time it was accepted. The use of the new format in the latest album order of 25,000,000 resulted in a saving of \$7,500 in cash and of more than 5,000 pounds of stitching wire.

Cellulose nitrate coated and impregnated book cloths have been replaced by starch-filled book cloths. This change released considerable amounts of alcohol, castor oil, and other similar materials for war uses. Bronze and aluminum leaf have been discontinued and replaced by ink in stamping of books. Cotton thread has been substituted for linen thread in the sewing of books. Headbands

made of mercerized cotton replace silk and rayon headbands. Cloth tags have been replaced by paper tags to conserve cotton base cloth for military uses. Vegetable-tanned leather was purchased to replace chrome-tanned leather to help conserve the national supply of compounds made from the critical metal chromium.

Press rollers and flexible blue: In the manufacture of press rollers and flexible blues we are now using sorbitol instead of glycerine which is vitally needed in the manufacture of munitions.

Type metals and platemaking: Copper used for producing electrotypes is being curtailed by the substitution of iron for much of the copper on some jobs.

Copper-backed "Teneplate," a trade electrotype molding medium, was replaced with zinc-backed "Teneplate," and this in turn is now being at least partially replaced by paper-backed "Teneplate." Copper areas of copper electrotype shells are restricted by cutting the margins to a minimum. Close attention is also given to the restriction of marginal areas of copper photoengraving plates. The development and the use of plastic printing plates for certain applications has also saved considerable copper. Photoengraving sheet copper, now 0.065" thick, can be used satisfactorily in thinner sheets 0.050" thick. Delivery is expected soon on a small order of this thinner copper.

The use of iron plating has eliminated 90 percent of the nickel formerly used in stereotype and electrotype production.

Tin content in electrotyper's foil has been cut from 35 to 15 percent. Thermoplastic cement has replaced 95 percent of the tin foil containing 47 percent tin formerly used for mounting zinc and copper halftone plates. Secondary tin is now used in type metal correction alloys instead of new tin, and the tin content has been reduced by 3 percent.

Electrotypes formerly considered imported Austrian ozokerite to be essential for their molding medium base. This ozokerite has now been replaced over 50 percent by American waxes and probably this replacement can be increased to nearly 100 percent.

Strategic chemicals such as alcohol, benzol, and toluol, and solvents used in connection with printing, have been carefully examined as to their uses in an effort to conserve about 20 percent on many items.

PRINTING FOR THE RATIONING PROGRAMS

Since early summer of 1942 the Government Printing Office has been engaged almost continuously in planning or printing of ration stamps. There has been in addition, an equal volume of related printing for the inauguration of the various rationing programs, but the real work has been to meet the schedules set up by O. P. A. for the stamp books themselves.

There was no precedent for production of books of this nature and for volume of such magnitude. There was not even available the equipment to produce it in the time permitted. No mill had ever made a safety paper such as that required in these programs. In actual fact, there was no safety paper formula at hand that met our needs.

Somewhat in advance of O. P. A.'s announced intention of printing the stamps our Division of Tests and Technical Control went into

the matter and developed test sheets for approval. The safety features of the paper have been progressively improved with each book.

This counterfeit-proof paper has so far made production of authentic looking copies so difficult that ration stamp racketeering, which is a natural outgrowth of the ration program; has been limited almost entirely to stealing. When it is considered that a few thousand stamps may be worth many times what a hijacked truckload of prohibition liquor would bring, it will be clear that every possible precaution must be taken to keep the stamps in legal channels.

For all safety paper made up for stamps previous to Book 3 we incorporated into the manufacturing process an identification device on which patent rights existed. We kept up our research in hopes of finding another way of doing the same thing. Our persistence has been rewarded and in the printing of War Ration Book No. 3, now in process of manufacture, we are using an identification method developed in our Office, that will reduce the cost of this particular identification feature by approximately \$900 per million pounds of paper. To date our safety paper on rationing has amounted to approximately 12,000,000 pounds and orders on hand or projected will require half as much again. Printing connected with rationing has required 19,000,000 pounds of paper in various grades.

We have had 70 printing firms scattered all over the country doing the stamp books. Before they could begin work we had to show them how the job could be done, how to install and use accessory equipment, and even secure priorities for that equipment in some cases. Every time we placed a stamp job in a plant we dispatched an employee from the Government Printing Office to supervise, approve, and safeguard the work and to prevent theft and counterfeiting. At present we require contractors to have a 24-hour-a-day guard over all the plants producing stamps.

To date we have printed some 60,000,000,000 stamps—190,000,000 copies of War Ration Book I and 150,000,000 copies of Books II and III—a production job never before equalled. Not even the ordering agency, apparently, can appreciate how big a job this is, for they have set some delivery schedules for us which took little account of actual printing requirements. Two hundred and fifty separate jobs have been ordered in the last 4-month period to put these programs into effect.

Some of the material went to as many as 4,500 different shipping points and presented unprecedented packaging and delivery problems. The latest piece of ration printing is the point-value charts which must be posted in the store of every handler of canned goods in order to keep the program functioning. We printed them in 7 areas for distribution to all post offices. Every part of the work on these 2½ million charts must be handled with the utmost secrecy previous to date of O. P. A. release to the public. Like so much of O. P. A.'s work which has to reach every inhabitant of the land, mailing and shipping is a job whose complexities can well be imagined.

To me, these highlights of the ration printing are of very great interest and I have dwelt on them at some length because I feel that this committee may also be interested in some details of the biggest printing job ever handled anywhere.

WORK FOR WAR AGENCIES

About a fourth of all our work these days is for various bureaus of the War Department, with Navy running a close second in its needs for service. I might cite any number of jobs for the Army which tax the imagination. Just now we are engaged in producing for the Quartermaster Corps 500 separate jobs to stock their regional warehouses. Quantities range from 100,000 to 450,000,000. One hundred and seventy-six contractors are doing the work, which will require 21,000,000 pounds, or 525 carloads, of paper.

Another huge printing job is the order for a quarter of a billion V-Mail forms, awarded to 11 contractors. It will require 20,000,000 pounds, or 500 carloads, of paper. The requisition for one and one-half million books of medical tags, with exacting specifications, is taxing the facilities of printing, cloth, and paper manufacturers. Neither of these two orders can be produced by available equipment in a normal way within the time limits set. We have had to devise wholly different ways to do each one of them.

There is another type of war stationery that the Government Printing Office has developed and for which I hope there will be a greatly increased demand. In fact I would like to turn over a good part of our facilities to it—stationery for enemy prisoners of war.

International law gives every prisoner of war the right to send two letters a month to relatives or friends in their own country—a fertile opportunity to transmit secret messages of military import by using invisible writing agents—the most common of which are readily available even to prisoners. These are milk, washing soda or baking soda in solution, lemon juice, urine, and a number of others—some acid, some alkaline.

The War Department officials asked the Government Printing Office to see what could be done with their problem. They wanted a paper which would develop this invisible writing without having to resort to heat or chemical-reagent testing of every letter. We were familiar with a commercial paper product which, by reason of a special coating, had high moisture sensitivity. Adapted to our specifications, we worked out a sheet which contained a powdered dyestuff that would react to acid liquids by turning a distinct green color. This was fine for acids, but alkalines did not give the needed result.

The Division of Tests, after continued experiments and research, incorporated into the paper coating an alkaline indicator that does the work. Now the prisoners of war are only allowed to mail letters written on our special war prisoners' stationery. If he tries to get out any secret information with the old reliable trick-invisible writing agents he is in for a shock. His acid writing fluid immediately turns, on paper, to a bright unfading green, his invisible alkaline fluid to a brilliant lasting red. Ammonia solutions first turn red, then, as the water evaporates, the writing becomes a permanent green. The colors the prisoner has developed in the hope of transmitting secret information will stay in the paper for months—the censor can read it as well as if it were written with regular commercial writing fluid.

The Adjutant General's office advised on November 7, 1942, that it would require in 60 days, for only 5 of its 14 depots, a total of four and one-half million copies of 160 different field manuals averaging 162

pages each and a total of 7,000,000 copies of 350 technical manuals averaging 163 pages each. These were only 2 of 9 items listed in the same letter and covered only about a third of the Army's distribution. One of our statistical clerks has figured out that the total number of pages represented here is just short of 2,000,000,000, that paper requirements are four and one-half million pounds, or 105 carloads.

The Office of War Information has taken from the various departments supervision of a coordinated poster program which will be produced on a monthly basis, printing and mailing to be handled through a central clearing house. This program calls for approximately 6,000,000 posters a month, 75,000,000 a year, in four sizes and in full color. The quantity of ink needed for these posters cannot be exactly determined because of variation in size and coverage, but a conservative estimate is half a million pounds.

Just before I left the Office to appear before your committee I learned that the Navy Department has asked us to produce a million copies of a 188-page book. I am told it is to be profusely illustrated, which means a lot of zinc for etchings. And it represents another demand on paper stocks with approximate requirements for 500 tons of machine-coated book paper.

As we are receiving over 7,000 requisitions a month at the present time, you will realize, of course, that I have taken time to call to your attention only a few of our big jobs but I believe they will illustrate the type of demands that are being made upon us for service at this time. As you know, none of these are charged to or are involved in the appropriation here under consideration. However, many big jobs are charged to it, too. They include, of course, the Congressional Record, all hearings, some of which run into thousands of pages, committee reports, miscellaneous publications, resolutions, bills, amendments, and so forth.

TAX BILL

You might be interested in the work involved in getting out the last tax bill. This is a copy of it.

In the stages of development this bill had 18 different handlings. Every time that it was handled, the corrections were so heavy that it had to be run as new copy. On every revision delivery of proofs on copies was accomplished by 9 a. m. In every instance the work was done in one night. The number of galley proofs alone on this bill totalled 66,942. There were seven different prints totalling 48,500 copies. As handled in the Senate it finally increased to 601 pages.

SAVINGS AS RESULT OF CHANGE IN TYPE, FORMS, AND STYLES IN CERTAIN MATERIAL

Mr. O'NEAL. That is a very interesting report you have made, Mr. Giegengack.

I would like to ask what discretion you have and what action you take with reference to material which is brought to you. Do you advise the various Government agencies as to how to shorten it?

Mr. GIEGENGACK. We have no discretion in that. Our job is to print what they requisition.

Mr. O'NEAL. As far as the matter contained in these things to be printed is concerned, you have no discretion, and you do exactly what they ask you to do?

Mr. GIEGENGACK. We have no discretion editorially.

Mr. O'NEAL. What discretion do you have as to the form of it? If they present you with some plan or some matter which is of an extravagant type, or calls for an extravagant job, can you say, "Gentlemen, this should be done in a different way," or do they require you to do it the way they want it? Can you have the last say on it?

Mr. GIEGENGACK. The Public Printer is given that authority by title 44, section 216, United States Code, which reads as follows:

The forms and style in which the printing or binding ordered by any of the departments shall be executed, and the material and the size of type to be used, shall be determined by the Public Printer, having proper regard to economy, workmanship, and the purposes for which the work is needed (Jan. 12, 1895, c. 23, sec. 51, 28 Sta. 608.)

Here is an example of how it works. This is the original book for War Savings Stamps, which had two wire stitches. We redesigned it so we could print it as a folder and eliminate the need for wire as I indicated to you in my general statement. It took a little persuasion to sell the idea, but we sold it to them.

Mr. JOHNSON. Would you mind stating for the record the difference in the cost.

Mr. GIEGENGACK. There was a saving of \$7,500 on one order.

Mr. JOHNSON. On one order of how many million?

Mr. GIEGENGACK. On one order of 25,000,000 copies, and a saving of 5,000 pounds of stitching wire.

Mr. HERRELL. We have printed to date 200,000,000 copies.

Mr. O'NEAL. You have no figures, I presume, which would break down this tremendous amount of printing you must do as between forms and similar printing, and what you might call propaganda material, or descriptive material of the work of the bureaus.

Mr. GIEGENGACK. We do not have a breakdown of that kind. It would be rather difficult to get.

We can give you a statement showing how much money each department has spent in printing for the year, but that would not tell you what kind of work it was.

WORK DONE FOR DEPARTMENTS AND INDEPENDENT ESTABLISHMENTS

Mr. O'NEAL. Will you insert in the record a statement showing the amount of the printing bill of each one of the departments that sent you work? If you have anything that would indicate the types of work done for them, whether it is pamphlets or forms, we would like to have that.

Mr. GIEGENGACK. Of course, the Office of War Information would have practically all poster work.

(The statement requested is as follows:)

Charges for work and to whom delivered during the fiscal year 1942 and for 7 months of the fiscal year 1943 (July-January, inclusive)

	Fiscal year 1942	7 months of fiscal year 1943
Congress.....	\$4,877,000.00	\$1,444,995.85
Code of Federal Regulations.....	50,000.00	
Private orders and speeches.....	62,640.51	34,656.63
Congressional repay.....	1,717.44	1,712.75
Superintendent of Documents.....	1,384,544.11	755,876.36
Library of Congress.....	651,661.87	256,292.68
Agriculture.....	2,264,005.98	596,038.77
Commerce.....	1,640,694.18	655,044.87
Interior.....	714,956.78	233,108.37
Justice.....	982,323.09	340,741.46
Labor.....	461,986.90	139,694.99
Navy.....	5,518,773.10	3,192,252.93
Post Office.....	2,610,926.28	1,259,660.82
State.....	446,088.52	123,033.75
Treasury.....	5,070,708.41	1,721,822.52
War.....	10,309,392.33	9,176,184.37
Administrator of Export Control.....	15,997.95	
Administrative Office of United States Courts.....	61,473.78	26,440.53
Alley Dwelling Authority.....	2,890.01	1,858.28
American Battle Monuments Commission.....	7,417.24	11.13
Board of Economic Warfare.....	20,211.25	32,276.02
Board of Governors, Federal Reserve System.....	4,742.65	213.62
Board of Investigation and Research.....	1,458.75	1,773.02
Bureau of the Budget.....	61,929.03	2,614.86
Canal Zone Biological Laboratory.....	1.58	
Civil Aeronautics Authority.....	1,369.93	
Civil Service Commission.....	513,721.90	188,523.03
Coordinator of Information.....	70,838.09	97,168.87
Coordinator of Inter-American Affairs.....	29,547.31	77,481.75
Commission of Fine Arts.....	382.37	159.09
Court of Claims.....	27,700.35	8,557.96
Court of Customs and Patent Appeals.....	9,122.25	3,532.00
District of Columbia Government.....	89,539.15	38,665.82
Economic Defense Board.....	122.48	
Employees' Compensation Commission.....	34,108.11	23,127.73
Farm Credit Administration.....	127,104.69	27,898.48
Farm Security Administration.....	173,479.90	59,765.28
Federal Communications Commission.....	71,241.60	21,666.31
Federal Deposit Insurance Corporation.....	8,270.05	18,810.83
Federal Loan Agency.....	269,524.59	
Federal Power Commission.....	53,982.34	27,690.95
Federal Security Administration.....	1,026,006.51	496,894.81
Federal Trade Commission.....	46,010.85	38,366.79
Federal Works Agency.....	466,743.96	83,709.51
General Accounting Office.....	147,735.22	61,833.84
Inter-American Defense Board.....	23.93	
Interstate Commerce Commission.....	227,402.64	72,184.75
Maritime Labor Board.....	234.95	
National Academy of Science.....		329.03
National Advisory Committee for Aeronautics.....	31,549.72	10,927.75
National Archives.....	11,526.34	4,609.21
National Capitol Park and Planning Commission.....	53.58	.81
National Forest Reservation Commission.....	836.61	
National Gallery of Art.....	7,883.81	672.78
National Housing Agency.....	111,926.37	164,239.40
National Labor Relations Board.....	169,704.15	63,364.87
National Mediation Board.....	2,899.70	862.32
National Railroad Adjustment Board.....	183.95	.54
National Resources Planning Board.....	44,553.87	21,344.15
Office for Emergency Management.....	3,042,448.18	1,653,127.12
Office of Bituminous Coal Commission.....	1,237.09	376.96
Office of Censorship.....	70,168.76	54,517.95
Office of Civilian Defense.....		75,366.60
Office of Government Reports.....	82,771.33	13,237.54
Office of Price Administration.....		1,590,685.43
Office of Production Management.....	119,586.51	2,291.27
Office of Strategic Services.....	270.90	17,930.61
Office of War Information.....		106,798.04
Panama Canal.....	93,917.23	69,424.91
Pan American Union.....	38,221.16	18,975.13
Patent Office.....	853,504.71	372,087.08
Puerto Rico Reconstruction Administration.....	253.03	36.19
Railroad Retirement Board.....	75,707.46	8,128.48
Securities and Exchange Commission.....	142,703.28	25,946.89
Selective Service System.....	524,176.15	1,177,068.58
Smithsonian Institution.....	127,565.79	21,475.03
Supreme Court of the United States.....	8,910.92	3,726.98
Tax Court of the United States.....	36,396.00	12,706.35
Tennessee Valley Authority.....	82,974.42	10,631.48

Charges for work and to whom delivered during the fiscal year 1942 and for 7 months of the fiscal year 1943 (July-January, inclusive)—Continued

	Fiscal year 1942	7 months of fiscal year 1943
Thomas Jefferson Two Hundredth Anniversary.....	\$98.68	-----
U. S. Maritime Commission.....	130,918.22	\$115,110.60
U. S. Tariff Commission.....	24,509.58	15,031.70
Veterans' Administration.....	236,005.89	137,993.98
War Production Board.....	-----	470,006.76
War Shipping Administration.....	-----	22,895.85
White House.....	8,086.60	2,640.73
Total.....	46,690,343.90	1 27,606,941.43

¹ This is the total of amount billed to the departments to Jan. 31, 1943, and represents approximately 40 percent of the estimated total billings for the fiscal year 1943.

Mr. JOHNSON. You printed all the various questionnaires which the various agencies sent out, did you not?

Mr. GIEGENGACK. The great majority of them were produced or procured by us.

Mr. JOHNSON. I wonder if we could have a break-down showing the number of questionnaires each department had. Would you have any way to tell what is the total printing bill for the questionnaires?

Mr. HERRELL. We do not keep our requisitions separated by types of work. One requisition might call for a book of instruction and a form to go with the book of instruction. In order to get the information you want we would have to analyze each request to see what part pertained to forms, what part to questionnaires, or what part to books of instruction. We have never had any call for that information before, that is the reason we have not broken down requisitions into types of work.

Mr. JOHNSON. We have never had these questionnaires either.

Mr. O'NEAL. Can you keep your records in the future so that that information can be obtained?

Mr. HERRELL. I think we can.

MULTICOLOR PRINTING

Mr. O'NEAL. Mr. Giegengack, with reference to multicolor printing, do you have much of that?

Mr. GIEGENGACK. We do very little color work in the Government Printing Office. We buy it outside.

Mr. O'NEAL. Suppose a Department sends up to you some highly ornamented colored material that they want to have printed; you have no choice but to go ahead and take it?

Mr. GIEGENGACK. In the first instance we do not begin work on a job until we receive a certificate, signed by the proper official in the ordering agency, that the work is authorized by law and is necessary to the conduct of the business of the ordering agency. A further control on this type of work is provided by a resolution adopted by the Joint Committee on Printing on February 3, 1937; the resolution is as follows:

Resolved, That whenever any executive department, independent office, or establishment of the Government shall certify to the Public Printer that pictures or illustrations or color printing are necessary in the public interest in connection with the printing of publications, the Public Printer shall refer such requests

which involve an additional expenditure of more than \$500 to the Joint Committee on Printing of the Congress; and no such expense shall be authorized without the approval of the Joint Committee on Printing.

When these requirements are met, the Public Printer has no alternative but to fill the requisition either by production in the Government Office, by procurement from commercial sources for the ordering agency, or by authorizing the ordering agency to procure the job itself from commercial sources.

Mr. O'NEAL. Suppose you have such a volume of business there that you can hardly get it out; have you any selection as to which is important and which is unimportant, or must you do it as requested?

Mr. GIEGENGACK. We try to meet the delivery dates requested in each case.

Mr. O'NEAL. The point I am making is, for instance, that there may be something very urgent on the part of the Army, and something coming out of some other agency which is certainly not of an immediate character. You are allowed some discretion there?

Mr. GIEGENGACK. Oh, yes. While we try to meet all delivery dates, if something must be delayed, we have the authority to see that it is the work of least importance to the war effort.

Mr. O'NEAL. You give them a delivery date for printing, and I presume that is in the light of what you consider to be the most urgent that you have; is that it?

Mr. GIEGENGACK. That is right.

DIFFICULTY IN PROCURING PAPER

Mr. JOHNSON of Indiana. Mr. Giegengack, do you have any trouble in getting paper?

Mr. GIEGENGACK. We are getting paper, but it is taking a longer time now than it did previously. Where we could get deliveries in 10 to 15 days, it now requires on the average from 30 to 45 days. It is because the paper mills are pretty well jammed up.

Mr. JOHNSON of Indiana. We hear so much about a paper shortage, I was wondering whether a paper shortage had actually struck your plant.

Mr. GIEGENGACK. The paper shortage hasn't hurt us so much as the Government must get the paper it needs but the paper mills are so crowded with orders that it just takes that much longer to get production.

Mr. JOHNSON of Indiana. You are using much more paper than you ever did before, I presume?

Mr. GIEGENGACK. That is right.

MATERIAL FROM OFFICE OF WAR INFORMATION

Mr. JOHNSON of Indiana. Do you print this Office of War Information literature?

Mr. GIEGENGACK. Some of it we do.

Mr. JOHNSON of Indiana. Did you print the book called Victory?

Mr. GIEGENGACK. No sir; not the one you have in mind.

Mr. JOHNSON of Indiana. Did it come through your office?

Mr. GIEGENGACK. It was not produced by us. We issued a waiver which authorized the Office of War Information to procure the job from commercial sources.'

Mr. JOHNSON of Indiana. Do they have authority to have their printing done outside of the Government Printing Office?

Mr. GIEGENGACK. Only upon waivers issued by us.

Mr. JOHNSON of Indiana. Does the law provide for these waivers?

Mr. GIEGENGACK. Yes, sir.

Mr. JOHNSON of Indiana. Do any other agencies ask for waivers?

Mr. GIEGENGACK. Yes, whenever a department is of the opinion that the Government Printing Office is not suitably equipped to produce the particular job or feels that it can procure the work more economically or more expeditiously from commercial sources, it asks for a waiver. If the Government Printing Office is not equipped to do the work or feels that the department can as efficiently, economically, and expeditiously procure the job itself, the waiver is granted.

Mr. O'NEAL. If the provision of law on the subject of waivers is not too long, suppose you insert it in the record.

(The matter referred to is as follows:)

Section 14, title 44, United States Code: The Joint Committee on Printing may permit the Public Printer to authorize any executive department or independent office or establishment of the Government to purchase direct for its use such printing, binding, and blank-book work, otherwise authorized by law, as the Government Printing Office is not able or suitably equipped to execute or as may be more economically or in the better interest of the Government executed elsewhere; * * *

VICTORY MAGAZINE

Mr. JOHNSON of Indiana. Do you know how many copies of the Victory magazine were printed?

Mr. GIEGENGACK. No; we do not know. We had absolutely nothing to do with it except to issue the waiver. They had it printed, I believe, in New York, and they paid for it direct.

Mr. JOHNSON of Indiana. You have no way of knowing how much it cost?

Mr. GIEGENGACK. No, sir; not at present.

FRANKLIN DELANO ROOSEVELT, THIRTY-SECOND PRESIDENT OF THE UNITED STATES

Mr. JOHNSON of Indiana. How about the next booklet, Franklin Delano Roosevelt, Thirty-second President of the United States?

Mr. GIEGENGACK. That was handled in the same way by the Office of War Information in New York.

Mr. JOHNSON of Indiana. You do not know whether it was just a black-and-white job or multicolor work?

Mr. GIEGENGACK. I have not seen it, but from what I read in the papers and in the Congressional Record, I assume it was a two-color job.

Mr. JOHNSON of Indiana. Do you know where we could get a copy of it?

Mr. GIEGENGACK. No; I do not. I was asked for it by Congressman Hoffman. We have no copies; and I have not seen a copy; but copies could be had, I presume, from New York, where it was published.

Mr. JOHNSON of Indiana. Of course you do not know how many of those were published?

Mr. GIEGENGACK. No, sir.

Mr. JOHNSON of Indiana. Or how they were distributed?

Mr. GIEGENGACK. No.

Mr. JOHNSON of Indiana. Or what the cost of them was?

Mr. GIEGENGACK. No, sir.

Mr. JOHNSON of Indiana. Have you granted any waivers to any except the Office of War Information?

Mr. GIEGENGACK. Yes, waivers have at various times been granted to all departments and agencies.

Mr. JOHNSON of Indiana. Has that been recent?

Mr. GIEGENGACK. It has been over a period of time; some of it has been recent.

PER DIEM INSPECTORS

Mr. JOHNSON of Indiana. I believe you say you have some per diem inspectors at different locations.

Mr. GIEGENGACK. We did have.

Mr. JOHNSON of Indiana. Do you have them now?

Mr. GIEGENGACK. Only occasionally now is it necessary to send an employee out on a per diem basis. We have established these field warehouses, and our staff personnel takes care of the placing of orders in that territory, and they now do nearly all of the inspecting.

PRINTING OF RATION BOOKS

Mr. JOHNSON of Indiana. How many of the rationing books did you say you had printed?

Mr. GIEGENGACK. One hundred and fifty million books on each of the orders referred to.

Mr. JOHNSON of Indiana. And how many orders?

Mr. GIEGENGACK. I referred only to the two large orders.

Mr. JOHNSON of Indiana. Do you know how much those cost?

Mr. GIEGENGACK. I do not have those figures.

Mr. JOHNSON of Indiana. Can you insert that in the record?

Mr. GIEGENGACK. We can.

(The matter requested is as follows:)

There were 190,000,000 copies of War Ration Book No. I printed at an approximate cost of \$467,000. There were 150,000,000 copies of both War Ration Books Nos. II and III printed at an approximate cost of \$982,000 on Book No. II and \$972,000 on Book No. III, or an over-all cost on the three books of approximately two and one-half million dollars.

Mr. JOHNSON of Indiana. The books, I believe you say, did take 19,000,000 pounds of paper?

Mr. GIEGENGACK. Nineteen million pounds of paper. That is not only the books, but the other forms that go with the books.

Mr. JOHNSON of Indiana. On the rationing program?

Mr. GIEGENGACK. In the rationing program.

PRINTING V-MAIL FORMS

Mr. JOHNSON of Indiana. I believe you mentioned some printing on V-mail?

Mr. GIEGENGACK. Yes, sir.

Mr. JOHNSON of Indiana. What is this printing for V-mail forms?

Mr. GIEGENGACK. That is the stationery; these patented V-mail letters that you fold up for the envelope, that are to be distributed to the soldiers outside of continental United States to be used by them in writing letters home.

Mr. JOHNSON of Indiana. That is for writing back here?

Mr. GIEGENGACK. That is right.

Mr. JOHNSON of Indiana. And that is done for the purpose of saving space for other material?

Mr. GIEGENGACK. Yes, sir.

Mr. JOHNSON of Indiana. What space does a V-mail letter require as compared with the space required for the magazine Victory, or the second issue of the O. W. I.?

Mr. GIEGENGACK. That I could not answer offhand. First of all, I would have to get a copy of Victory.

Mr. JOHNSON of Indiana. But you have a pretty good idea of what it is?

Mr. GIEGENGACK. No; it would be a wild guess.

Mr. JOHNSON of Indiana. If it is a pamphlet about the size of this [indicating]—what would you say was the size of that?

Mr. GIEGENGACK. That is about eight and one-half by ten and one-half.

Mr. JOHNSON of Indiana. Well say, if it is a pamphlet about 8 x 10—

Mr. GIEGENGACK. Victory is bigger than that.

Mr. JOHNSON of Indiana. All right; we will say one larger than that, and comprising some 16 to 20 pages, then what would be the comparison of the amount of space required?

Mr. GIEGENGACK. I could not guess at that at all. I could put the answer in the record.

Mr. JOHNSON of Indiana. I wish you would do that.

(The statement requested is as follows:)

From the information available at this time it appears that one copy of Victory magazine is equal in weight and volume to 72 of the V-mail correspondence forms.

GOVERNMENT PRINTING OFFICE PERSONNEL IN ARMED SERVICES

Mr. JOHNSON of Indiana. I believe you say you have had no deferments and have requested no deferments?

Mr. GIEGENGACK. None whatever.

Mr. JOHNSON of Indiana. And about 1,000 of your people have gone into the service?

Mr. GIEGENGACK. It is well over 1,000.

Mr. JOHNSON of Indiana. You have not had any difficulty in replacing those who have left; that is, you have been able to carry on?

Mr. GIEGENGACK. We have been able to carry on. We have difficulty in getting them, but we are carrying on.

Mr. JOHNSON of Indiana. And you have been doing a pretty good job, I believe.

Mr. GIEGENGACK. Thank you. I think we have had five deaths out of those who went into the service so far.

LIMITED DISCRETION ALLOWED IN ACCEPTING WORK

Mr. JOHNSON of Indiana. Mr. Chairman, I suppose that the only way to reach the matter you had in mind is to do it through the agencies rather than through the Government Printing Office.

Mr. O'NEAL. I think so.

Mr. JOHNSON of Indiana. In other words, if you are asked to get out a number of copies of any publication or any form by one of the agencies, you do not have the discretion to say whether it is necessary or not?

Mr. GIEGENGACK. Not at all. All we can do is to change the format or make a suggestion as to where we might save paper or money.

Mr. JOHNSON of Indiana. And it is up to you to get the job done?

Mr. GIEGENGACK. That is right.

CONTRACT WORK WITH PRIVATE PRINTERS

Mr. JOHNSON of Indiana. You are required to do a lot of this work by contract with private printers?

Mr. GIEGENGACK. Yes, sir.

Mr. JOHNSON of Indiana. What is the basis of letting those contracts? Do you advertise them, or what is your procedure?

Mr. GIEGENGACK. Upon the request of the Joint Committee on Printing, the President authorized the Government Printing Office to enter into negotiated contracts for necessary services and supplies contributing to the prosecution of the war. Our policy has been to use this power only in transactions when the ordinary statutory procedure of competitive bidding cannot be used in the interest of the Government. The procuring officer must show that the issuance of invitations to bid is out of the question because of limited time allowed, or some special condition under which the work has been requisitioned by the department. Before negotiations are entered into all determinable charges are ascertained. The unit making the purchase must first compute the cost of the job if performed by the Government Printing Office; secondly, the cost of any identical work of comparable volume procured under prior contract placed through competitive bids; and finally the estimated commercial cost of producing the job under the conditions of the order.

The great majority of purchases of paper and printing are let through competitive bids secured under section 3709 of the Revised Statutes of the United States. Negotiated purchases have been used mainly for training manuals, forms, and posters for the military services, War Production Board directives, and similar work. Most of these cases involve urgent delivery, secret matters, national programs, unusually large orders and/or specially complex printing requirements. Under such conditions competitive bidding cannot practicably be used in procurement of printing. Especially is this true in those cases where there is need of having printing performed

at various points to secure better distribution of the product or to save transportation costs.

All negotiated contracts are governed by explicit regulations issued by the Joint Committee on Printing relative to the purchase of printing from commercial sources, and reported quarterly to the President.

All this is the exception. Most of those contracts are awarded on competitive bids.

VICTORY MAGAZINE

Mr. JOHNSON of Indiana. When these publications are printed, such as Victory magazine, containing a lot of pictures and cuts, those are zinc etchings, are they?

Mr. GIEGENGACK. They are prepared on either zinc or copper by the photoengraving process provided the publication is produced by the letterpress or relief processes. If the publication is produced by offset, the illustration is transferred photographically to a large zinc press plate which can be resurfaced and re-used with a negligible amount of metal consumption.

Mr. JOHNSON of Indiana. Could you give the average cost of making them?

Mr. GIEGENGACK. The cost is determined on a square inch basis. I do not know the cost on that.

Mr. JOHNSON of Indiana. Do you know the number of square inches?

Mr. GIEGENGACK. No, sir. You want the cost of the zinc drawings and the copper halftones?

Mr. JOHNSON of Indiana. That is right.

Mr. GIEGENGACK. I will give you that information for the record. (The matter requested is as follows:)

The cost of the plate used in producing a publication of the type of Victory will run between 15 and 20 cents per square inch if one color is used. If more than one color is used, the price per square inch is approximately 45 cents per square inch for each color.

Mr. JOHNSON of Indiana. Do you know whether or not these publications, like the Victory magazine and the other one, carry the statement "Government Printing Office" on them?

Mr. GIEGENGACK. I do not know. Anything that goes through our office carries an imprint "U. S. Government Printing Office," but if it does not go through our office I do not think it carries any imprint. When we print it ourselves, or when we secure it on contract, it has the imprint on it. However, we have a code or star on that printing that we buy outside, through our office, that indicates that it was bought outside.

TWO VICTORY MAGAZINES

Mr. JOHNSON of Indiana. I am informed that there are two magazines known as Victory magazines.

Mr. GIEGENGACK. That is correct.

Mr. JOHNSON of Indiana. Could you tell which Victory magazine is printed by the Government Printing Office and which under contract, made by the O. W. I.?

Mr. GIEGENGACK. Victory Magazine Weekly, printed by the Government Printing Office, is in one color printed on newsprint paper.

This magazine stated as Defense August 30, 1940, and the first edition came out as an 8-page weekly printed in two colors, a format which ran through 1940. January 1941, the format was changed to coincide with the facilities used on the Congressional Record and the size and type face for text of the Record was adopted. The style of the display heads and other features were typical of a news magazine. As Defense it ran through 1940 and soon after Pearl Harbor, on December 16, 1941, the title was changed to Victory.

The average weekly circulation is 45,000 paid and 3,000 on the free list. The average number of pages per issue is 32, self cover.

The purpose of the magazine was to assemble all news items relating to Government administration in connection with the war effort, digest it, and present it as concisely as possible to enable the reader to obtain a weekly summary of all information covering official regulations and releases on the war.

All press releases issued each week by all bureaus and agencies are summarized for the same purpose. These press releases are also identified with the particular bureau and agency by whom they are issued so that anyone interested may obtain the full release if he so desires. The distribution generally goes to State and agricultural officials, State and local O. P. A. officials, country newspapers, school newspapers, businessmen, local officials of the ration boards, libraries, et cetera.

The magazine is published by O. W. I., Domestic News Bureau.

The Victory magazine to which you have reference is the one in foreign languages for world-wide distribution.

From information available to me, I believe it is 10½ by 14 inches in size; contains about 80 pages and cover, and is printed on a 70 substance (500) coated paper by letterpress.

I am advised that the original plan was a magazine to offset Axis publications which had been published and distributed to the various countries throughout the world, particularly to countries such as Turkey, Spain, those in the Middle East and in South America, propagandizing Axis culture and industry. It seems that our needs were somewhat similar except that we had to offset a good deal of this Axis propaganda.

The primary objectives in our program were to extol the industrial strength of the United States, also the democratic principles of its Government, its culture, and background, and generally indicating our stand toward the Axis Nations. The magazine tried to impress certain countries with the tremendous facilities we have as a nation, our way of life, and the opportunities and advantages that were available by collaboration with us.

This magazine was handled directly through the Office of War Information in New York City.

Mr. JOHNSON of Indiana. And when you give a waiver such as you have explained heretofore to an agency such as the Office of War Information, to have the Victory magazine referred to printed, when that magazine is printed, is there a statement on it "United States Government Printing Office"?

Mr. GIEGENGACK. No, not on that; because we did not handle any part of it. Only the printed matter produced by or procured by the Government Printing Office itself carries the Government Printing Office imprint.

COST OF BLACK-AND-WHITE AND COLOR PRINTING

Mr. JOHNSON of Indiana. How does the cost of printing of the black-and-white magazine compare with the cost of printing the colored magazine, such as the O. W. I. Victory magazine?

Mr. O'NEAL. It is much more expensive?

Mr. GIEGENGACK. Much more expensive. If you took an ordinary magazine that is being printed in one color, and you started to illustrate it and used two colors throughout—even a spot of color here and there—the cost would increase possibly 50 to 60 percent. Of course, with more colors, it goes higher.

Mr. O'NEAL. The paper stock has to be different?

Mr. GIEGENGACK. The paper stock has to be different.

Mr. JOHNSON of Indiana. Do you know the kind of paper used on the O. W. I. Victory magazine?

Mr. GIEGENGACK. I do not.

Mr. JOHNSON of Indiana. Is it a better grade of paper?

Mr. GIEGENGACK. It would have to be a better grade, because we run ours on newsprint, the same stock as the Congressional Record. When you have illustrations in halftone, you have to use a coated sheet.

Mr. JOHNSON of Indiana. What is the difference in cost between the coated sheet and the regular Congressional Record?

Mr. GIEGENGACK. The newsprint used for the Congressional Record costs \$2.50 per hundred pounds at present while the coated stock costs \$6.75 per hundred pounds.

Mr. JOHNSON of Indiana. I think that is all.

Mr. O'NEAL. I have some questions before we go into the estimates.

° OVERTIME

What is the situation with reference to overtime, Mr. Giegengack? Is there much overtime?

Mr. GIEGENGACK. We are working a 48-hour week where it is possible in the departments. All hours over 40 hours per week are compensated for at the overtime rate.

CHANGE IN FORMAT OF CONGRESSIONAL RECORD

Mr. O'NEAL. You have had considerable savings in the Congressional Record due to this new form. That has been in existence how long?

Mr. GIEGENGACK. Two years.

When the change in format of the Congressional Record was approved 2 years ago, the page cost was reduced thereby approximately 16 percent, which on the basis of the number of pages being printed at that time and the number of copies involved and the manner in which it had been previously printed reduced the expenditure on an annual basis about \$135,000. If the format had not been changed, the present page price—and therefore the total of this appropriation—would have been much larger. It is impossible to say how much larger, as so many changes have taken effect since the change in format; for example, more subheadings,

more space between lines, more space above and below the sub-headings, cost of paper, labor and material, more pages, more copies, and so forth. All of these changes would have taken effect, of course, whether the format had been changed or not. These changes to a large extent tend to bring the present page cost back up to what it was when the format was changed. Had it not been changed, however, the present page price would, of course, be much higher.

AUDITING OF ACCOUNTS OF GOVERNMENT PRINTING OFFICE

Mr. O'NEAL. This appropriation, Mr. Giegengack, is to reimburse the Government Printing Office for work it does for Congress; that is the major part of it?

Mr. GIEGENGACK. That is right.

Mr. O'NEAL. There is also a revolving fund, I believe, which we also set up?

Mr. GIEGENGACK. Yes, sir.

Mr. O'NEAL. I would like to ask you about the audits of the accounts of the Government Printing Office, for the record. Who makes the audit, and how often?

Mr. HERRELL. All of our accounts are audited in the regular way by the General Accounting Office. Every expenditure that we make is audited in detail by that agency. We submit quarterly accounts, and they are subject to the same audit as are the accounts and disbursements of any other agency.

In addition to that, all of our contracts, or practically all of our contracts, are approved in advance by the Joint Committee on Printing.

All of our employees, of course, are hired through Civil Service, and those pay rolls are audited in detail by the General Accounting Office.

DETERMINING COST OF PUBLIC PRINTING AND BINDING

Mr. JOHNSON of Indiana. Mr. Chairman, may I ask a question along that line?

Mr. O'NEAL. Certainly.

Mr. JOHNSON of Indiana. You mentioned that this appropriation is to take care of the printing done for Congress. When you get an order from some Government bureau, do you charge that bureau for the amount of the printing bill?

Mr. GIEGENGACK. That is right.

Mr. JOHNSON of Indiana. How do you figure in the overhead on that charge?

Mr. GIEGENGACK. We have a complete cost accounting system that provides for the proper allocation of overhead to all operations performed.

Mr. JOHNSON of Indiana. And the amount you receive from the various bureaus or agencies is turned in to the Treasury?

Mr. GIEGENGACK. Well, it is taken from their account and credited to our account, which we draw against.

Mr. HERRELL. We determine the cost of each job, just as any commercial printer does. We gather in advance the complete cost

of performing every operation in the plant. We know the number of units produced by that particular operation and, of course, by dividing the number of units produced by the operation into the total over-all cost of that operation, we get the cost per unit. A job comes in to us to be printed. Our estimator analyzes it and determines the units to be produced on the operations to be performed, and by referring to our schedule of unit and operation costs, he arrives at the total over-all cost, including the materials, direct labor, indirect labor, section, division, and general overhead, all being allocated to the particular unit or operation upon the basis of the direct labor involved.

Mr. JOHNSON of Indiana. Do you figure those same costs on work for the Congress?

Mr. HERRELL. In exactly the same way; yes.

Mr. JOHNSON of Indiana. Now, at the end of the year, or at the end of some period, are you able to tell whether you have made a profit on the work done?

Mr. HERRELL. Oh, yes, sir.

Mr. GIEGENGACK. It would not be a profit. It would be a surplus of funds which reverts back to the United States Treasury.

Mr. JOHNSON of Indiana. That is what I am getting to. Have you had such a profit, or surplus?

Mr. HERRELL. It usually runs less than one-half of 1 percent. Our costs are figured as closely as we can figure them. If there is a little doubt as to exactly what the cost of the operation is, we go on the safe side, because we cannot bill the department 6 months later if we find that there is a slight loss on the job. So, with the necessary precaution that is involved in a cost accounting system of this size and kind, it runs on the average, on a \$20,000,000 basis, about one-fourth of 1 percent overcharge, which resulted last year in a return to the Treasury of approximately \$50,000 on a \$20,000,000 basis.

STANDARDIZED FORMS FOR BOOKLETS, ETC.

Mr. O'NEAL. Supposing you, as experts in printing, know the various bureaus and the type of requests and the type of printed matter they want, would it be possible for you to set up certain standard forms which you would ask the bureaus to use wherever possible for their booklets or for their forms or matters of that sort, and if they should put in their requests according to the standard forms, would you not have a very great saving in the printing bill for the Government?

Mr. GIEGENGACK. We do that to some extent now.

Mr. O'NEAL. I thought possibly you did, but I wondered how extensive that is and how carefully that is followed by the bureaus.

Is there any further authority which we might give to you which might have a tendency to make the work of the Government Printing Office faster and probably, or certainly, more economical to the operation of the Government?

Mr. GIEGENGACK. I do not think so, sir. The Joint Committee on Printing has authority under title 44, section 4 of the United States Code to adopt and employ such measures as in its discretion may be

deemed necessary to remedy any neglect, delay, duplication or waste in the public printing and binding and the distribution of Government publication. The Public Printer has the authority to determine the form and style in which the printing or binding ordered by any of the departments shall be executed and the material and size of type to be used having proper regard to economy, workmanship and the purpose for which the work is needed. He doesn't have nor would I recommend that he have the authority to determine what printing shall be requisitioned, when it is needed or what amounts shall be ordered by departments and establishments.

METHODS UNDER CONSIDERATION FOR REDUCING PRINTING COSTS

Mr. O'NEAL. What is being considered now along the lines of methods of reducing printing costs and doing a better job?

Mr. GIEGENGACK. As constituted the Government Printing Office is a service agency with certain defined duties which do not include the prerogative of determining what printing shall be requisitioned, when it is needed, or what amount shall be ordered by each department and establishment. These are matters resting within the discretion of the heads of the respective agencies. The Public Printer, however, is charged with the determination of the form and style in which the printing or binding ordered by any of the departments shall be executed, and the material and size of type to be used, having proper regard to economy, workmanship, and the purposes for which the work is needed.

Congress in providing funds under appropriation acts effectually determines the limit of the amount of printing that may be done. After an appropriation is made the determination of the amount of printing to be done is a budget matter. Once funds are approved in an appropriation act it may be assumed that Congress has passed upon the general program entailing such printing and binding. Yet this does not say that blanket approval is given for any expenditure from the funds provided. Certain statutory limitations exist on expenditure of such funds. For example, no book or document not having to do with the ordinary business transaction of any executive department may be printed unless the same shall have been expressly authorized by Congress. Thus, if any request is received which does not fall within the purview of an ordinary business transaction of a particular department the request is returned. Once this Office has determined that the printing is authorized as an ordinary business transaction the departments discretionary jurisdiction as to subject matter and quantity is not questioned. Furthermore, whether such discretion has been used wisely or not is hardly a proper subject for comment by the Public Printer since another Federal instrumentality has been entrusted with that responsibility.

CENTRALIZED CONTROL OF PRINTING

The Joint Committee on Printing has authority to adopt and employ such measures as in its discretion may be deemed necessary to remedy waste in public printing. From time to time suggestions are made to that committee to assist it in the exercise of its functions. One proposal, which is now in course of investigation, relates to the

feasibility of requesting the Bureau of the Budget to establish a review unit to pass upon requisitions for printing (exclusive of requests for administrative forms, letterheads, blank paper, blank envelopes, and similar types of stationery). If established, this unit would review the subject matter, the intended use, and the quantity ordered in departmental requisitions, and would have authority to approve or reject a request, subject to final decision by the head of the department and the Director of the Bureau of the Budget.

About 90,000 requisitions are received each year, of which it is estimated 60 percent might be classified as printing supplies, so that approximately 36,000 requests would have to be inspected annually by the review unit, or the equivalent of 120 requisitions a day. Many of these could be passed quickly, while others would require more extended consideration. As these reviewers become more familiar with departmental programs, the work will become easier. A large part of the printing falls under general programs, so that once decision is made on a program subsequent requisitions could be reviewed and cleared expeditiously, the only matter for consideration being the adherence to the general plan and the number of copies to be printed. Needless to say, a review unit operating in this capacity must be in a position to act promptly on requisitions, since much war printing—and a considerable part of the civilian printing—is of an urgent nature. Frequently work must be rushed to meet a scheduled date, as for example, when it is needed for military services, actions of national scope by the Government, or important occasions. This class of jobs can stand no delay, and any unit interposed at the point suggested must be ready to act immediately on receipt of a requisition at all times.

In viewing an arrangement of this nature, as Public Printer I believe that a considerable saving could be accomplished. On the other hand, I feel that control should go further back into the departments. If printing is to be centrally controlled from some point external to an agency, then it would seem that procedure might well be established whereby a project requiring extensive printing would not be undertaken until advance approval of the project and the printing thereunder had been given approval by the Director of the Bureau of the Budget. If such a plan as this were placed in operation, lost time of departmental personnel in initiating work, in preparing copy, and so forth, could be avoided in the event the ultimate printing would not be approved. In this recommendation the thought is that, whichever way is adopted, economies might be secured by the review of printing projects of an impartial independent agency.

CLASSIFICATION OF DEPARTMENTAL PRINTING

Each year the budget message of the President contains an analysis of appropriations, expenditures, and estimates of the Federal agencies. Under each agency a statement is made of the printing and binding appropriations for the past 2 years, and the estimates for the current year. Usually this summary represents a composite figure for all types of work, and does not break down the classes of printing, the amounts of which may vary widely with different functions. Justifications of these estimates are required by the Bureau of the Budget, who go into the various classes of printing and binding, making up

the total figures. The practices, however, do not appear to be uniform, nor does the classification—at least that published—appear to be very extensive.

Should Congress desire further information, the Government Printing Office has the necessary facilities to prepare more comprehensive information, since departmental requisitions for printing pass through and are priced by this Office. At present the printing for Congress is analyzed to show charges for the Congressional Record, Federal Register, laws, bills, resolutions, amendments, committee reports, hearings, publications for folding room, publications for international exchange, other publications, franked envelopes, document franks, and miscellaneous printing and binding. These headings are subject to further analysis for labor, materials, and overhead reflected in the detail cost accounts. If requested, the Government Printing Office could similarly classify work performed for departments and establishments, such as annual reports, sundry reports, books, bulletins, documents, forms, letterheads, blank paper, and so forth. With a little additional information furnished by the requisitioning agency an analysis could also be made to show whether such printing was for internal departmental use, reports, questionnaires, and other printing for regulatory measures, information of the public, etc. Reports on the expenditures thus incurred could be furnished annually, semi-annually, or on other desired periods. The cost of producing these reports would not be heavy because all necessary papers from which such information would be extracted must pass through the computing division of this Office. Classified information on expenditures could be coded at that time, and cards punched from which tabulations could be prepared.

In making this suggestion it must be understood that the Government Printing Office does not have any administrative use for this class of information and would have no purpose in incurring this expense, unless and until the same had been requested by the Congress.

PLANNED SCHEDULES FOR PRINTING

Since the declaration of the war, regardless of the time when the printing is actually needed, there appears to be a growing tendency on the part of many Federal agencies to label routine printing requisitions "Rush." The extent of this practice may be more fully appreciated by the following analysis disclosing the condition pertaining to requisitions received in the Government Printing Office: Printing asked for in less than 10 days, 30 percent; and printing asked for in 11 days or over, 70 percent. The majority of requisitions constitute typical routine jobs, such as administrative forms, letterheads, and other printing items which are used under established procedures, and which should be anticipated many days in advance of the actual needs. In many cases, therefore, if proper planning were in effect, this class of requisitions could easily be issued in sufficient time to avoid requests for rush printing.

The Government Printing Office recognizes that much of the printing connected with the war effort is urgent. Clearly, that printing must be expedited, and nothing should stand in the way of its delivery. But where unnecessary speed is asked on routine printing, such requests

naturally compete with essential war printing. Obviously, equipment used on orders improperly labeled "Rush" is not available for work that may be urgently needed for military purposes. Not only in the civilian branches, but also in the military units, requisitioning officials should bear in mind that indiscriminate expedition of work where there is no justification for such action impedes the war effort. Such practice also entails unnecessary expense by causing the printing to be produced under adverse conditions involving overtime at accelerated rates of pay. This is true whether the work is performed in our plant or in a commercial plant. "Rush" jobs must be treated as special, and cannot be combined with other similar work and run under mass production, but must be singled out for special handling, thus increasing costs, particularly on press and bindery operations. To cope with this situation, a suggestion has been made that department heads inform all bureaus and units: (1) That emergency printing is to be kept to the absolute minimum; (2) that schedules be developed between the Government Printing Office and the department relating to established production periods for all classes of printing, including forms, posters, briefs, pamphlets, books, and so forth, on which the department can plan its work and expect delivery from the Government Printing Office; and (3) that if work is needed prior to the customary delivery date the requisition for the job shall be accompanied by a request for production preference certificate which will show among other things the justification for the request. Preference would automatically be granted on printing for selection, recruitment, arming, training, movement, or maintenance of troops; for the procurement, production, control, storage, movement, delivery, or other disposition of supplies or materials necessary for the military services, including machinery, tools, and raw materials for war plants; for civilian governmental functions relating to the procurement, production, control, supply, movement, and diversion of food, civilian defense, public health and safety, or other activities directly connected with the prosecution of the war; for other civilian governmental functions directly or indirectly related to the prosecution of the war. All other rush requests must be accompanied by a certificate of necessity. This certification when issued by the head of the department of his designee, would be accepted by the Government Printing Office.

IMPROVEMENTS IN FORM, STYLE, AND METHOD OF PRODUCTION

Printing as an art steadily moves forward. The Government Printing Office is continually working on better production and reduced costs. Plans are under way for establishing grades respecting production, quality, and deliveries. Another project involves the standardization of sizes for forms, reduction in the number of colors of paper used, and greater uniformity in quantities ordered during a year. Studies are being made of the best means of reducing the use of different qualities of paper by standardization for definite types of printing. The object is to run more jobs in combination, using the same size and quality of paper, thereby improving efficiency of presswork.

Printing, like other work, has certain operations more difficult than others, the extension of line-cuts to the end of a sheet, or the so-called "bleeding," being one of these operations. Accordingly, we are work-

ing with the departments, where possible, to eliminate requests necessitating this style of work. Another source from which increased costs arise is the multicolored inks used on certain publications, particularly those related to promotional material. The added expense arises from the fact that to produce the job frequently it is necessary to make more than one run on the press. To cope with this problem, close contact is maintained with the departments to reduce to a minimum the calls for multicolored inks in printing.

A good part of the printing produced in the Government Printing Office relates to the production of forms, and, as may be expected, some of these forms, particularly administrative and accounting forms, are frequently used by several bureaus in a department. Some time ago this Office developed, in collaboration with the General Accounting Office, a system permitting mass production of standard forms to avoid numerous small orders of printing the same form. Similarly, departments have forms in common use among bureaus. Thus the same principle can be extended to departmental printing, so that bureaus may consolidate their needs in a single requisition. Other operations on which economies might be effected relate to the standardization of envelope sizes, reduction in the use of halftones, the elimination of any unnecessary plates on jobs.

This Office also has under consideration the feasibility of making arrangements with Government agencies which are required by law to transmit reports to Congress whereby they shall submit such reports to Congress in manuscript form in order that the congressional edition and the departmental edition may be printed at the same time from the same type—the departmental edition being run under what is technically known as the “up” number.

Departments are being asked to edit copy carefully while in manuscript form to save rewrites and author's alterations in proof.

Mr. O'NEAL. I am glad to hear that the Joint Committee on Printing and the Public Printer have the authority you have outlined to us and that you are taking the interest in these matters that your statement indicates. This committee will expect a report from you at the hearings on your appropriation bill for fiscal year 1945 upon the results obtained from the matters you have just outlined to us and a recommendation from you at that time as to whether any additional authority is needed in order to accomplish the desired economies in the Government's printing bill.

Mr. GIEGENGACK. I will be glad to make that report and recommendation.

CONTRACT WORK LET TO PRIVATE PRINTERS

Mr. HENDRICKS. Mr. Giegengack, it may be this has been gone over before, but you do let out a good deal of your work on contract, do you not?

Mr. GIEGENGACK. This year we think we may let out \$35,000,000 worth.

Mr. HENDRICKS. Do you have to let out that work to the bigger printers, or is it possible to let out some of it to smaller printers?

Mr. ANDERSEN of Minnesota. That is the very question I had in mind, Mr. Hendricks. I am glad you are bringing it out.

Mr. GIEGENGACK. The size of the job naturally determines the kind of plant that is equipped to produce it. Most of the Government orders are for large quantities and for quick delivery; therefore, most of the orders will be filled by the plants having equipment to turn out the job within the specified time.

Mr. HENDRICKS. I wonder if any representative here remembers that at one time you let a contract to the Tyn Cobbs Florida Press?

Mr. GIEGENGACK. I think we did.

Mr. HENDRICKS. I am sure that you did, because he reminded me of it, and since that time he has been willing, ready, and waiting to do any small amount of printing, and his work was accepted, but he has been unable to get any further work whatever. And if those smaller concerns can do the work, and if it is not a rush job and they could do it just as well as others—in other words, if you could anticipate your work and give them some work to do—it would be much better if you would let some of those boys have some of that work to help them out.

Mr. GIEGENGACK. Of course it would cost a lot more; you know that.

Mr. HENDRICKS. I do not want you to do that; I mean if you can get it at a comparable price.

Mr. GIEGENGACK. This might give you a little light on the situation. Most of the matter that we are letting out we are letting out in areas. I can best explain it in this way: We have forms for the Army, the Navy, the O. P. A., and the W. P. B., and in the Army we have these training manuals. There is not a small printing plant that could take care of the training manual. They do not have the equipment particularly sewing machines. Those orders may come in in a certain number, over all, for the job. For instance, one order may call for 5,000,000 copies. We have that now broken down as to points of delivery. The big depots of the Quartermaster Corps that usually receive these for further distribution to their subdepots, and then to their camps, are located in places like San Francisco, Chicago, St. Louis, Dallas, Atlanta, New York, and Baltimore. We have established field warehouses in areas where we keep paper on hand, and we take that order and break it down into the number of copies needed in that area, and we print them in that area and deliver them in that area, to save transportation and time.

Now, there are none of those jobs except some of the form work that a small printer could handle, and the medium-sized printer gets a good part of that form work. Now, if the nearest delivery point to Florida would be Atlanta the Florida printer would have to bid against an Atlanta firm, and he would have to include in his cost the transportation of that paper from Atlanta down to Florida for printing, and the transportation back to Atlanta, because that is the point of delivery, and that is where the paper is; so that his cost would necessarily be out of line with the man who could do it in Atlanta, or within a radius of 80 or 90 miles of Atlanta.

Mr. HENDRICKS. I can get some of the picture there. I understand, of course, that it is not every concern that can print everything that you order. I know that. For instance, they do not have the sewing machines. But they have done this work for you. I discussed this with someone, I have forgotten who, concerning his press,

and they assured me that they had a good deal of work to do and would try to find something for them to do. I have never heard of it since, and I wondered if you would look up the Tyn Cobbs Florida Press—the spelling is T-y-n C-o-b-b-s—and see if it is in your active files and whether there is something that you could give them on a comparable basis with other concerns.

Mr. GIEGENGACK. If the delivery was somewhere in Florida, he would be right in line for it, but if the delivery was, for example, in Chicago or New York, it would be out of the question, because we could not get transportation.

Mr. HENDRICKS. I have had requests from a number of smaller concerns, and I have instructed them to call upon you and find out what to do. But this man particularly had done something for you, and for that reason I felt that he was qualified. I am concerned with the smaller press, and I would like to help them, if I can; not, however, at the expense of the Government.

Mr. GIEGENGACK. Let me say this, sir—they may have received that when we were going all over the country and placing all kinds of work, where the most of the deliveries came back to Washington.

Mr. HENDRICKS. Let me ask you another question. I want to get this straight. I think I can see, perhaps, that you would save something by setting up these warehouses; on the other hand, does not that work against the smaller presses?

Mr. GIEGENGACK. No; it helps the smaller presses in that locality—

Mr. HENDRICKS. In that particular locality, but also the man in Atlanta has an advantage over the man in Florida?

Mr. GIEGENGACK. If delivery is to be made in Atlanta; yes, sir.

Mr. HENDRICKS. And a lot of your printing, I know, must be delivered in Florida—must it not?

Mr. GIEGENGACK. I do not think so. We get orders for the delivery usually to depots of the Army or one of the other agencies, and from there they redistribute to the subdepots.

Mr. HENDRICKS. Do you print the forms for the O. P. A.?

Mr. GIEGENGACK. Yes; a good many of them.

Mr. HENDRICKS. Why would it not be just as simple for you to have them printed in Florida and have them delivered to the O. P. A. office that would need them there, as it would be to have them printed and delivered to the warehouse in Atlanta and then shipped to the O. P. A. in Florida?

Mr. GIEGENGACK. We are now printing in hundreds of printing plants in the United States—

Mr. HENDRICKS. This is the question I want to ask you: In the Atlanta area, it is printed and sent to the Atlanta warehouse; is that correct?

Mr. GIEGENGACK. It is printed as near as possible to the point of delivery specified by O. P. A. and when printed, delivered by the printer to that point—not to our warehouse. No printed material is returned to our warehouses. They are for the storage of paper—the paper being sent from them to the printers selected to do the work and then from the printer to the point where it is to be used.

Mr. HENDRICKS. Why would it not be just as simple to have it printed in Florida and sent to Jacksonville, if you know it is going to be needed in Jacksonville?

Mr. GIEGENGACK. If you subdivide it so many times, it means that many more plates and make-readies on the job. Once the job is plated and on the press, you can run an unlimited number at a time; but, when you divide it up in so many different places, you have to make that many additional plates, new make-readies, and the make-ready is one of the big expenses. That really increases the cost considerably.

Mr. HENDRICKS. Suppose you have something you know you are going to continue to have a demand for by any agency of the Government and you have your plates made and you hold those plates; do you think it is wise to arrange it so that one contractor could hold those plates and get all of that work because he is closest to headquarters?

Mr. GIEGENGACK. He does not hold any plates; he has to return the plates when he gets the job done. If he gets them from the warehouse in that area, he has to return the plates on the completion of the job.

Mr. HENDRICKS. Why could not the Tyn-Cobbs, Florida Press get those plates from the warehouse and save the cost of producing the plates because of the fact the plates are already made?

Mr. GIEGENGACK. He can if he is low bidder on the presswork, bindery, and transportation charges involved in producing the job for which the plates are to be used—the plates are always furnished without charge.

Mr. HENDRICKS. You know more about the printing business than I do, but you see my concern. The big firms, which really need it as badly as the small concerns, are getting all of the work, and the smaller concerns are not getting it, and I know particularly in the case of this one, and others, too, that this one has done some work for you and I would like to know if there is any possibility of their being given any further work?

Mr. GIEGENGACK. We have them on our list, but I cannot say when they will get a job.

Mr. HENDRICKS. I am not asking you to promise them a contract; I only want to know what the possibilities are, so that I can convey the possibilities to them. I wish you would try in the future, if some of this work could be given to the smaller concerns, providing the price is reasonable and it would not cost the Government more, to distribute it as far as possible.

Mr. GIEGENGACK. You see, there are about 20,000 printers in the United States. There are going to be many casualties during this war.

Mr. HENDRICKS. That is right, but we do not want any more than we have to have.

Mr. GIEGENGACK. There are going to be casualties during this war in business, just as there will be on the battlefield. Now, if all of the Government printing should be closed down at the Government Printing Plant and we distributed that printing to those 20,000 printers, there would not be enough to keep them busy and it would not save any of them.

The point I am trying to make is that we have listed in our office about 4,000 printers, with a list of all of their equipment, and we have it coded on I. B. M. cards, so that we know what type of presses they have in each place. And we know, if it is a job for subletting, what its price is and the type of press and size that it can be done on most

economically. And that is how the decision is made as to the individuals who will be requested to bid on specific contracts.

Mr. HENDRICKS. Well, I want this man to contact you and give you a list of their equipment.

Mr. GIEGENGACK. We have a printed form that we send out.

Mr. HENDRICKS. I will appreciate it if you will send me a copy.

Mr. GIEGENGACK. Yes, sir.

Mr. HENDRICKS. And, if it is possible for you to give him something, I want that done.

Mr. ANDERSEN. May I add at this point, Mr. Chairman, as to Mr. Hendricks' contention that everything possible should be done to keep these smaller printers in business, that just in this past week two of my small newspapers have gone to the wall. And if there is any possible way, and I say this even if it costs our Government a little bit more—

Mr. GIEGENGACK. That is out of our jurisdiction, if it costs more.

Mr. ANDERSEN. Certainly; but I feel it would be good business for our Government to permit you to give certain classes of printers, say, 5 percent leeway in bidding on some of these jobs.

Mr. GIEGENGACK. How could we estimate on a job to a department, then?

Mr. ANDERSEN. It would be a difficult matter.

Mr. GIEGENGACK. And how could the Department ask for an appropriation here for printing? Would you let them come in here and say "We want a leeway of 5 or 10 percent in our printing appropriation, in order to take care of prices that may be charged to us by the Public Printer in order to enable him to take care of the small printers?"

Mr. HENDRICKS. Well, the War Department makes contracts which can be renegotiated; they have taken care of that.

Mr. GIEGENGACK. We haven't authority to renegotiate for that purpose.

Mr. HENDRICKS. And probably it could be taken care of in the same way here.

Mr. GIEGENGACK. There is another point there. When a department comes before you on their estimates they have asked for so much for printing and binding. They have estimated what it is going to cost them, based on our prices, for the following year. Now, then, if we start to raising our prices, they are going to run out of an appropriation and will have to come back to you for a deficiency and, when they do, you gentlemen are going to say "What happened to all of this money?"

Mr. HENDRICKS. You mean the department would have to ask for a 5 percent leeway?

Mr. GIEGENGACK. That is right.

Mr. HENDRICKS. I can see that.

Mr. GIEGENGACK. We would not have the money to do it, otherwise.

Mr. JOHNSON of Indiana. As I understand, on all of the contract printing that you let contracts for, you furnish the paper?

Mr. GIEGENGACK. We furnish the paper and the plates in nearly all cases.

Mr. JOHNSON of Indiana. You furnish the plates?

Mr. GIEGENGACK. That is correct.

Mr. JOHNSON of Indiana. And you furnish the ink?

Mr. GIEGENGACK. Not the ink.

Mr. JOHNSON of Indiana. You just furnish the paper and plates?

Mr. GIEGENGACK. That is right.

Mr. JOHNSON of Indiana. So that all the other man does is the mechanical work?

Mr. GIEGENGACK. That leaves for the commercial printer the press-work and the bindery operations.

Mr. JOHNSON of Indiana. And that makes a great saving on account of the paper, by buying it in such a volume?

Mr. GIEGENGACK. That is right. We get better delivery than the commercial printer could.

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

Mr. O'NEAL. Now, for working capital, etc., you received \$6,985,000 in 1943 and you are asking, for 1944, \$6,890,000. Will you put in the hearing a break-down of how that figure of \$6,890,000 was arrived at?

Mr. GIEGENGACK. That appears in the justification on the first page and the top of the second page.

Mr. O'NEAL. Let that go in the record.

Mr. GIEGENGACK. Yes, sir.

(The following table shows the break-down of the estimates:)

(a) Congressional Record.....	\$900, 000
(b) Miscellaneous publications.....	700, 000
(c) Miscellaneous printing and binding.....	400, 000
(d) Publications for international exchange.....	25, 000
(e) Franked envelopes and document franks.....	100, 000
(f) Bills, resolutions, and amendments.....	300, 000
(g) Committee reports.....	175, 000
(h) Documents.....	220, 000
(i) Hearings.....	850, 000
(j) Federal Register.....	220, 000
	3, 890, 000
(k) Working capital.....	3, 000, 000
Total	6, 890, 000

Mr. ANDERSEN. How many copies, approximately, are furnished of the Federal Register?

Major KENNEDY. About 21,000 or 22,000.

Mr. ANDERSEN. They are sent around, are they not, without being requested?

Major KENNEDY. Oh, no, sir. The only ones that are sent without request are two copies to each member of Congress. The administrative committee of the Federal Register, when it first started, decided to send two copies to each Congressman's office, as it was the consensus at that time that they would want one for their home office and one for their office here.

Mr. ANDERSEN. I think one of those two copies sent to the Congressmen could very well be dispensed with.

Major KENNEDY. We have just started to circularize the members of Congress in order to determine whether they want the two copies or not. If they do not, they will notify us—we will give them a card and ask them to check it—and we will stop sending it.

The fact is we have many Congressmen who get more than two copies. Five is the quota. They send them to people in their districts.

Mr. HENDRICKS. People who request them?

Mr. KENNEDY. That is right; usually it is a library or similar organization.

Mr. ANDERSEN. I think it would be a saving well worth attempting to ascertain if the Congressmen do want two copies.

Major KENNEDY. We have already started to do that.

Mr. O'NEAL. Now, Mr. Giegengack, in the \$6,890,000, there is \$3,000,000 for working capital. Will you explain the operation of the working-capital appropriation which you ask to be provided here?

Mr. GIEGENGACK. The government departments reimburse this office for printing and binding and other services performed after the delivery of the articles requisitioned. As funds are necessary to pay for services and material pending completion and the payment of the cost of the work done, the Government Printing Office is provided with a working capital.

In the original estimates for the fiscal year 1944 a request was made for an appropriation of \$3,000,000 for a working fund, which amount is to be returned to the Treasury not later than 6 months after the close of the fiscal year. The same amount was appropriated for this purpose in the fiscal year 1943.

Mr. O'NEAL. And that working capital of \$3,000,000 was returned within 6 months following the close of the fiscal year 1942?

Mr. GIEGENGACK. Yes, sir.

The war activities have increased the amount of uncompleted work on hand as well as the accounts receivable to such an extent that it has been found necessary to request the appropriation of an additional \$3,000,000 for the working fund in the fiscal year 1943, to be returned to the Treasury within 12 months after the close of the fiscal year.

As the same conditions probably will continue throughout the fiscal year 1944, it is expected that a similar request will be necessary in that year.

Mr. O'NEAL. Now the balance of the money, \$3,890,000, is made up of the items you have listed—Congressional Record, \$900,000, and so forth?

Mr. GIEGENGACK. That is right.

Mr. O'NEAL. I think that does not need any further explanation. What about the \$700,000 for miscellaneous publications, item (b)?

Mr. GIEGENGACK. Miscellaneous publications consist of such printed matter as the Congressional Directory, Senate and House Journals, memorial addresses, Congressional and committee calendars, nominations, and sundry documents not carrying a document number, such as laws, treaties, executive agreements, and similar printed matter.

The expenditures for this purpose amounted to \$715,354 for the fiscal year 1942. It is estimated that \$700,000 will be required for the fiscal year 1943 and the same amount for the fiscal year 1944.

Mr. O'NEAL. Now, what is the nature of the miscellaneous printing and binding, \$400,000?

MR. GIEGENGACK. Miscellaneous printing and binding for Congress includes letterheads, envelopes, blank paper, copy paper, and a variety of supplies such as notices, tags, labels, payrolls, blank books, stenographic notebooks, tablets, maps, calendars, ink, paste, and similar items.

The expenditures for these items amounted to \$393,396 for the fiscal year 1942. For the fiscal year 1943 and 1944 it is estimated that \$400,000 will be spent in each year.

MR. O'NEAL. What is item (d), \$5,000, publications for international exchange?

MR. GIEGENGACK. The Library of Congress is supplied with not to exceed 125 copies of Government publications, including the daily and bound copies of the Congressional Record, and not to exceed 150 copies of certain congressional publications, for distribution by international exchange, through the Smithsonian Institution, to such governments as may agree to send similar publications of their governments to the United States.

The expenditures for this purpose for the fiscal year 1942 amounted to \$23,234. For the fiscal years 1943 and 1944, the expenditures are estimated at \$25,000 per year.

MR. O'NEAL. Due to the upset condition of the World, Mr. Giegen-gack, that interchange is not anything like the volume it was, and I was wondering if this volume of printing could not be considerably reduced, because of the fact that the international exchange has fallen off?

MR. TISDEL. Those publications are being printed just the same, sir, and stored.

MR. O'NEAL. But the point is why go ahead and print them. I thought it might be worth inquiring into.

MR. TISDEL. That distribution comes under the document section of the Library of Congress. They arrange for this exchange.

MR. O'NEAL. I wish you would make some inquiry about that, with the idea of stopping that, due to the fact that you cannot exchange them.

(The inquiry directed by the chairman reveals the following:)

The law provides for the printing of publications to be placed at the disposal of the Library of Congress for the purpose of exchange through the agencies of the Smithsonian Institution for such works as may be published by foreign countries and especially foreign governments. A reduction in the number of copies would probably affect but a small saving and as the plates would not be available for reprint after the war, it would be impossible to complete the sets for foreign libraries.

MR. HENRICKS. You mean not stopping them completely, except to those countries where the exchange cannot be made?

MR. O'NEAL. Stopping that part.

Now, ITEM (e) is for franked envelopes and document franks, which you spoke of before.

Item (f), bills, resolutions, and amendments—what is that item?

MR. GIEGENGACK. This heading covers the printing of bills, resolutions, and amendments in all forms, and includes these items as introduced, referred, reported, and as finally passed.

The expenditures for this purpose amounted to \$286,723 for the fiscal year 1942. It is estimated that \$340,000 will be expended in

the fiscal year 1943. This increase is due to the cost of printing the large number of new bills introduced at the beginning of a Congress. For the fiscal year 1944 it is estimated the expenditures will be \$300,000.

Mr. O'NEAL. What about committee reports

Mr. GIEGENGACK. Committee reports cover printed reports of congressional committees on pending legislation.

The expenditures for this item amounted to \$171,805 for the fiscal year 1942. It is estimated that \$175,000 will be required in each of the fiscal years 1943 and 1944.

Mr. O'NEAL. What is Item (h), documents?

Mr. GIEGENGACK. Documents embrace all classes of documents ordered printed by Congress which carry a congressional number, such as annual reports, engineers' reports, special reports made by Government departments in response to resolutions, and so forth.

The expenditures for this purpose amounted to \$490,188 in the fiscal year 1942. It was estimated that the expenditures under this item will amount to \$200,000 in the fiscal year 1943 and \$220,000 for the fiscal year 1944.

The Legislative Appropriation Act for 1943 provided that no part of the sum appropriated should be used for printing and binding the Yearbook of Agriculture, and the appropriation was reduced accordingly. Nothing has been included in the estimate for 1944 for this publication.

Mr. ANDERSEN. You have a reduction there because of the fact the 1943 Yearbook will not be printed, do you not?

Mr. GIEGENGACK. That is right.

Mr. ANDERSEN. That reduction amounts approximately to \$300,000?

Mr. GIEGENGACK. Yes.

Mr. O'NEAL. Now, the item for hearings of committees, \$850,000: Has that increased each year in the past two or three fiscal years?

Mr. GIEGENGACK. Charges were brought up to date in the fiscal year 1942 on a number of the large hearings which had been in progress for some time, resulting in charges to the amount of \$1,503,556. It is estimated that an expenditure of \$925,000 in the fiscal year 1943 will bring all charges for printing hearings up to date, and that \$850,000 will be sufficient to cover this item in the fiscal year 1944.

Mr. O'NEAL. And what about the Federal Register, item (j)?

Mr. GIEGENGACK. The Archivist of the United States and the Public Printer are charged with the printing and distribution, in a serial publication designated the "Federal Register," of documents authorized to be published under the act of July 26, 1935. Funds to defray the cost of this item are contained in the appropriation for the Government Printing Office.

The expenditures for this purpose amounted to \$220,000 in the fiscal year 1942. The same amount was appropriated for the fiscal year 1943, but this will be insufficient, due to the increased number of documents required to be printed in the Federal Register, especially the orders of the Office of Price Administration and the War Production Board. A deficiency appropriation of \$180,000 for the remainder of the fiscal year has been requested, making \$400,000 in

all for the fiscal year 1943. The Budget estimate for the fiscal year 1944 also carried \$220,000 for this purpose, but this will have to be increased.

Major KENNEDY. With regard to that, I think a letter has been written to the Budget, asking for a \$180,000 increase in this bill.

Mr. O'NEAL. Will you give us a copy of that?

(The letter requested is as follows:)

MARCH 6, 1943.

The Honorable Harold D. Smith,
Director, Bureau of the Budget, Washington, D. C.

MY DEAR MR. SMITH: Reference is made to the estimates of the Government Printing Office for the fiscal year 1944 in the amount of \$6,890,000 as submitted to Congress in the annual Budget message of the President.

Since compiling the foregoing estimate last fall, changes have been required because of the increased cost of printing the Federal Register occasioned by a larger volume of material and the increase in the number of copies resulting from war activities and the requirement of the act approved December 10, 1942 (Public Law 796, 77th Cong.) with regard to the printing of a cumulative supplement of the Federal Register. It is necessary, therefore, to request revision of the above amount as follows:

Amount included in appropriation estimates-----	\$6,890,000
Change on line 38, page 20, of the Budget for the fiscal year 1944, the amount of \$220,000 to \$400,000. This represents an increase in the cost of the printing, binding, and distribution of the Federal Register in accordance with the act approved July 26, 1935 (44 U. S. C. 301-317) -----	\$180,000
On line 38, immediately following "(not exceeding \$220,000);" insert "for the printing and binding of a cumulative supplement to the Code of Federal regulations as authorized by the act approved December 10, 1942 (Public Law 796, 77th Congress) not exceeding \$165,000." By the act approved Dec. 10, 1942, there was authorized and required the publication of a cumulative supplement to the Code of Federal Regulations. The cost of printing and binding the cumulative supplement is estimated to be-----	165,000
Supplemental estimate-----	345,000
Total revised appropriation estimate-----	7,235,000

Change on page 20 of the Budget for the fiscal year 1944, line 33 from \$6,890,000 to \$7,235,000, and lines 42 and 48 from \$3,890,000 to \$4,235,000.

I will appreciate it if you will transmit this supplemental estimate for 1944 to the Congress at your earliest convenience, inasmuch as hearings are scheduled to be held on this appropriation the first part of next week.

Sincerely yours,

A. E. GIEGENGACK,
Public Printer.

Major KENNEDY. Yes, sir. Also, for the amount to be used for cumulative supplements required to be published in lieu of the new Code of Federal Regulations. The bill was passed on the 10th of December and the Senate amended the House bill, not only authorizing it, but requiring it. The estimate on that is \$165,000.

Mr. O'NEAL. That would make the total request \$7,235,000; is that correct?

Mr. HERRELL. That is right.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

ADDITIONAL EMPLOYEES

Mr. O'NEAL. We will now pass to the item on page 133 of the bill "Office of Superintendent of Documents," for which you had an appropriation in 1943 of \$817,510 and you are asking, for 1944, \$867,510. Will you give us some explanation of that?

Mr. TISDEL. You gentlemen have before you a summary which is a justification for our appropriation, in which the functions of the office are outlined, and which also shows that we have requested \$50,000 additional for the salary appropriation. It also gives an idea of the increase in business over a period of 7 years, which is 136 percent, with only a 39 percent increase in salaries.

The records for the past 6 months of this fiscal year compared with the corresponding period of last year indicate that the entire year will show an increase of more than 33 percent over last year.

Mr. O'NEAL. The business of the Superintendent of Documents, briefly, is what, sir?

Mr. TISDEL. The distribution of publications for the departments, Congress, and to the public by sale. Preparation of official catalogs and answering letters of inquiry regarding publications.

Mr. O'NEAL. Only those printed by the Public Printer?

Mr. TISDEL. Yes, sir.

Mr. O'NEAL. You have nothing to do with the distribution of any publications printed by a Government bureau but not printed through the Public Printer?

Mr. TISDEL. No, sir.

SALES OF GOVERNMENT PUBLICATIONS

Mr. O'NEAL. On page 9 of the justifications you have a chart showing the sales of Government publications for the last 7 years, and the monetary returns, which I think we might insert at this point.

Mr. TISDEL. Yes, sir.

(The matter above referred to is as follows:)

Sales of Government publications for the last 7 years

Fiscal year	Number of orders	Number of publications sold	Amount of sales	Number of letters of inquiry in connection with sales
1936	548,848	8,832,162	\$680,725.69	230,273
1937	595,823	10,074,337	813,246.60	256,042
1938	697,970	11,546,273	845,779.15	293,029
1939	773,464	12,748,804	928,459.88	321,292
1940	786,463	18,439,879	1,118,050.54	329,931
1941	876,948	24,484,203	1,342,699.15	432,487
1942	983,801	36,492,359	1,712,539.28	443,125

Mr. O'NEAL. I believe in the fiscal year 1942 you returned to the Treasury \$1,712,539.28?

Mr. TISDEL. No; that was the total amount of receipts, from which we paid for the publications that we sold, leaving a net balance of

\$675,753 which was deposited into miscellaneous receipts of the Treasury as surplus.

Mr. HERRELL. That is shown on page 10 of the justifications.

Mr. O'NEAL. What is the arrangement with reference to printing volumes which are sold?

Mr. TISDEL. The law allows the Superintendent of Documents to print any publication of a public character for sale, with the understanding they are to be paid for from sales receipts.

Mr. GIEGENGACK. In other words, you buy from the Public Printer?

Mr. TISDEL. Yes, sir.

Mr. O'NEAL. Do you print some that are not salable?

Mr. TISDEL. Yes, sir. During the last year we placed approximately 4,500 requisitions for sales publications and naturally we both underestimate and overestimate the demand, but an effort is always made to dispose of surplus stock through sales announcements.

Mr. HERRELL. But the net result is you have how much surplus?

Mr. TISDELL. We returned a net of \$675,753 in 1942 and, judging from the receipts this year, we will turn in over \$1,000,000 in surplus.

DETAIL OF PUBLICATIONS SOLD

Mr. O'NEAL. Have you a break-down anywhere showing the amounts you have handled of the larger publications, in other words, the ones of which you have sold the greatest amount? Have you a break-down of that sort, so as to give us an idea of what those publications are?

Mr. TISDEL. We can list some of the best sellers.

Mr. O'NEAL. Could not you itemize it pretty much in the break-down, say, for the 1942 appropriation, and 1943, if you have that, showing what publications you put out and what ones sold best of the large ones? I do not mean for every little one.

Mr. TISDEL. That would not be practical because it would involve thousands of items; but we are listing below a number of the best sellers.

List of publications of which 25,000 or more copies were sold during the fiscal year, 1942

Title of publication	Number copies sold	Unit price
Eat the Right Food to Help Keep You Fit.....	498,599	\$0.05
Furniture, Its Selection and Use.....	33,746	.10
Civil Aeronautics Bulletin No. 22, Digest of Civil Air Regulations.....	68,882	.20
Civil Aeronautics Bulletin No. 23, Civil Pilot Training Manual.....	50,164	.65
Civil Aeronautics Bulletin No. 24, Practical Air Navigation.....	107,726	1.00
Civil Aeronautics Bulletin No. 25, Meteorology for Pilots.....	50,070	.75
Civil Aeronautics Bulletin No. 27, Pilots' Airplane Manual.....	36,410	.30
Civil Aeronautics Bulletin No. 28, Pilots' Powerplant Manual.....	72,602	.75
Veneral Disease Bulletin No. 93, 20 Questions on Gonorrhea.....	38,372	.05
Veneral Disease Folder No. 1, Syphilis—Its Cause—Its Spread—Its Cure.....	391,322	.05
Veneral Disease Folder No. 2, Syphilis and Your Town.....	84,517	.05
Veneral Disease Folder No. 3, You Can End This Sorrow.....	174,064	.05
Veneral Disease Folder No. 4, The Doctor Says—A Blood Test Before Marriage is Good Health Insurance.....	131,246	.05
Veneral Disease Folder No. 5, Gonorrhea—The Crippler.....	336,355	.05
Veneral Disease Folder No. 6, Are You Being Played for a Sucker?.....	71,263	.05
Veneral Disease Folder No. 7, Veneral Disease and National Defense.....	151,069	.05
Worker's Health Series No. 1, But Flu is Tougher.....	50,469	.05
Worker's Health Series No. 2, Leonard's Appendix, and How it Burst.....	54,124	.05
Worker's Health Series No. 5, Trouble in the Midriff.....	28,124	.05
Community Health Series No. 1, Wake up, Main Street.....	58,714	.05

List of publications of which 25,000 or more copies were sold during the fiscal year, 1942—Continued

Title of publication	Number copies sold	Unit price
Defense Job Training.....	37,083	\$0.05
Manual of First Aid Instruction.....	53,569	.45
Children's Bureau Publication No. 4, Prenatal Care.....	92,895	.10
Children's Bureau Publication No. 8, Infant Care.....	127,607	.10
Children's Bureau Publication No. 30, The Child From One to Six.....	49,186	.10
Children's Bureau Publication No. 143, Child Management.....	57,838	.10
Children's Bureau Publication No. 202, Are You Training Your Child To Be Happy?.....	34,652	.10
Children's Bureau Publication No. 219, Good Posture in the Little Child.....	29,632	.05
Children's Bureau Publication No. 225, Guiding the Adolescent.....	39,315	.10
Children's Bureau Folder No. 9, Keeping the Well Baby Well.....	42,392	.05
Children's Bureau Folder No. 10, Out of Babyhood into Childhood.....	35,806	.05
Children's Bureau Folder No. 11, Why Sleep? Sleep Helps Children.....	37,273	.05
Children's Bureau Folder No. 14, Well-Nourished Children.....	45,184	.05
Children's Bureau Folder No. 23, The Noon Meal at School.....	31,798	.05
The Worker's Safety and National Defense.....	87,374	.05
American Nautical Almanac for 1942.....	34,367	.50
A Handbook for Air Raid Wardens.....	35,308	.10
Senate Document No. 264 (74th Cong., 2d sess.) Modern Miracle Men.....	26,552	.05

FEDERAL REGISTER SALES

Major KENNEDY. I believe the Federal Register is included in that, is it not; the sales from the Federal Register are included in your receipts?

Mr. TISDEL. Yes; the Federal Register is included in our receipts.

Major KENNEDY. We took in \$106,174 in 8 months of this present fiscal year from the sale of subscriptions to the Federal Register.

Mr. O'NEAL. In the sale price, do you include overhead?

Mr. TISDEL. No. The law requires that we sell at cost plus 50 per cent.

Mr. O'NEAL. In other words, you think this is a good business deal, do you?

SUMMARY OF ACTIVITIES

Mr. TISDEL. Yes, sir. I would like to request, Mr. Chairman, that you insert this summary in the hearings. It shows the growth of the business and the returns, and is a justification for the \$50,000 requested for additional employees if we are to be in a position to satisfactorily perform the duties required by law. Particular attention should be given to the fact that each year shows an increase in the sales business.

Mr. O'NEAL. All right.

(The matter above referred to is as follows:)

Comparative statement of activities, Public Documents Division

	1936 fiscal year	1942 fiscal year	Increase	Percent of increase
Letters of inquiry.....	230,273	443,125	212,852	92
Number of orders.....	548,848	983,801	434,953	79
Cash remittances.....	\$751,117	\$1,897,519	\$1,146,402	152
Publications distributed for departments.....	72,800,684	93,149,807	20,349,123	28
Publications sold.....	8,832,162	36,492,359	27,660,197	313
Amount of sales.....	\$680,725	\$1,712,539	\$1,031,814	151
Average percentage.....				136
Appropriation (salaries and wages).....	\$585,000	\$813,050	\$228,050	39
Earnings made for the Treasury.....	\$267,721	\$675,753	\$408,032	152

NO DEFERMENTS OF PERSONNEL

Mr. O'NEAL (continuing). Have you asked for any deferments under your office, from military service?

Mr. GIEGENGACK. That comes under our office. No deferments.

Mr. O'NEAL. The statement you made as to "no deferments" applies to this office, too?

Mr. GIEGENGACK. Yes, sir.

GENERAL EXPENSES, OFFICE OF SUPERINTENDENT OF DOCUMENTS

Mr. O'NEAL. The next item is for general expenses, on page 135 of the bill.

Mr. TISDEL. There is no change in this item.

Mr. O'NEAL. Do you have a break-down as to how that has been spent?

Mr. TISDEL. The object of expenditures is indicated on page 136 and, if you prefer I can amplify those items. Take the first item, travel: There is no travel except car tokens.

Mr. O'NEAL. And for transportation of things, you have been spending about that amount, have you?

Mr. TISDEL. Yes, sir. That is for truck deliveries.

Mr. O'NEAL. What is that communication service?

Mr. TISDEL. Telephones and foreign postage.

Mr. O'NEAL. What is rents and utility services, \$9,538?

Mr. TISDEL. There are no rents and utility service includes heat, light, and power for which we pay the Public Printer.

Mr. O'NEAL. Has it been running about that amount?

Mr. TISDEL. Yes, sir.

Mr. O'NEAL. Have you the figures on that for the past 2 or 3 years?

Mr. TISDEL. Yes, sir.

Mr. O'NEAL. Is that about the figure?

Mr. TISDEL. Yes, sir.

Mr. O'NEAL. Now, you have a big item here, printing and binding, \$211,558. What is included in that?

Mr. TISDEL. That includes official catalogs called for by law; publications printed for depository libraries and price lists.

Mr. O'NEAL. Suppose you give us a little more of a break-down of that item in the hearings?

Mr. TISDEL. Yes, sir.

Mr. O'NEAL. Now, what is that "other contractual services"?

Mr. TISDEL. Repairs and alterations and sanitation.

Mr. O'NEAL. Where are those expenditures made?

Mr. TISDEL. In the Government Printing Office. The Public Printer charges our office for the repairs or alterations that are made.

Mr. O'NEAL. And you charge them for what you do for them?

Mr. GIEGENGACK. That is right.

Mr. O'NEAL. Supplies and materials—is that stock?

Mr. TISDEL. No, sir; this item covers office supplies and mailing materials used.

Mr. O'NEAL. Is that material that goes into booklets?

Mr. TISDEL. No, sir; it goes in for preparation of packages and sacks for the mails.

Mr. O'NEAL. Could you give us more of a break-down on that?

Mr. TISDEL. Yes, sir.

Mr. HERRELL. I think we might give you a paragraph on each of those as we did on the others.

Mr. O'NEAL. Suppose you do that, and on equipment, too.

Mr. HERRELL. Yes, sir.

Explanation of objects of expenditure

By objects	Obligations		
	Estimate, 1944	Estimate, 1943	Actual, 1942
02 Travel: Car tokens.....	\$41	\$41	\$41.00
03 Transportation of things: Wagon delivery of publications between the Superintendent of Documents and other Government agencies.....	3,061	3,061	3,061.00
04 Communication services:			
Telephone.....			204.50
Postage.....			300.00
Telegrams.....			3.50
Total.....	508	508	508.00
05 Rents and utility services: Heat, light, and power.....	9,538	9,538	13,538.00
06 Printing and binding:			
Catalogs and indexes.....			56,853.00
Depository libraries.....			177,880.00
Price lists and bibliographies.....			33,521.00
Sales announcements.....			3,303.00
Total.....	211,558	211,558	271,557.00
07 Other contractual services:			
Repairs and alterations.....			19,113.00
Sanitation.....			8,656.00
Total.....	17,476	17,476	27,769.00
08 Supplies and materials:			
Office supplies: Miscellaneous office and desk supplies, stationery, envelopes, ink, etc.....			17,409.00
Mailing supplies: Paper, twine, glue, envelopes, chipboard.....			82,032.00
Storage supplies: Paper, envelopes, chipboard.....			1,000.00
Total.....	89,733	89,733	100,441.00
09 Equipment: Furniture, machines and other office equipment.....	13,085	13,085	13,085.00
Total.....	345,000	345,000	430,000.00

Mr. O'NEAL. Now, what automobiles do you use down there, Mr. Giegengack?

Mr. GIEGENGACK. We have a 1941 Chrysler, a 1940 Dodge, a 1941 Plymouth, and a 1938 Ford.

Mr. O'NEAL. Is there anything in this program for the purchase of a new car?

Mr. GIEGENGACK. No, sir. We cannot get one anyway.

Mr. HERRELL. There are no funds included for the purchase of a new car.

Mr. GIEGENGACK. The authority has been asked for year after year, but we have not bought a car since 1940 when we bought the 1941 model of the Plymouth. The Dodge we bought second-hand.

Mr. O'NEAL. Thank you very much, Mr. Giegengack and gentlemen. We appreciate your patience.

WEDNESDAY, MARCH 10, 1943.

SALARY OF JOSEPH H. CALLAHAN, SUPERINTENDENT FOLDING ROOM

STATEMENT OF HON. BRENT SPENCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

Mr. O'NEAL. We are glad to have with us this morning Mr. Patton, the Acting Chairman of the Committee on Accounts, and Mr. Spence, of Kentucky, and we will be glad to hear whatever statements they may desire to make to the committee at this time.

Mr. SPENCE. Mr. Chairman, we have come in the interest of Joe Callahan, the superintendent of the folding room.

I think you are conversant with the services he has rendered. He has been very thorough and conscientious and industrious in his work, and I do not think party politics have had any effect upon his conduct of the folding room.

His superintendency of the folding room probably more intimately touches the every day life of a Member of Congress than any other activity in connection with the House, because we are dependent on him to render many services and to send out a great many documents to our constituents. The usefulness of that work depends upon its promptness and accuracy.

I asked him to prepare a statement showing the activities of the folding room, and this is what he says:

The folding room stocks are in excess of one and one half million documents, at an average price of 90 cents to a dollar each. The current incoming documents each year number in excess of 60,000 copies.

From thirty to forty million speeches are folded each year. The cost of these speeches amounts to about \$150,000, paid for by the Members.

The folding room never employs less than 70 people, and last year employed a personnel of 140 folders. The pay roll of the folding room will average around \$100,000 a year.

A debit and credit ledger system of bookkeeping is used in the office. A daily and monthly pay roll is kept on all speech folders' accounts.

I think it can be truthfully said that no other department on Capitol Hill employs a larger personnel or has in its charge property of greater value, viz., documents and stocks valued at approximately \$2,000,000.

Mr. O'NEAL. What is his present salary?

Mr. SPENCE. I think he now gets \$3,600.

Mr. O'NEAL. The item in the appropriation bill reads

Superintendent of folding room, \$3,180 and \$420 additional so long as the position is held by the present incumbent.

I understand the \$420 increase was given in the fiscal year 1942.

Mr. SPENCE. I know his services have been highly satisfactory. I think, irrespective of political affiliations, he has very many friends who feel indebted him for the fine services he has rendered. His position is a very responsible one, and his salary should be made somewhat comparable with other salaries of similar positions and with regard to his important duties and responsibilities.

WEDNESDAY, MARCH 10, 1943.

SALARY OF JOSEPH H. CALLAGHAN, SUPERINTENDENT OF FOLDING ROOM

STATEMENT OF HON. NAT PATTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. O'NEAL. Mr. Patton, the committee will be glad to hear you at this time.

Mr. PATTON. Mr. Chairman, as the Speaker told me when I became acting chairman of the Committee on Accounts, there are many inadequacies in the salaries of the men in the upper brackets, like Joe Callaghan. Some of them get as much as \$5,000 a year.

As Mr. Spence has said, Mr. Callahan has a great deal of responsibility, and I never heard any complaint against his service in the conduct of his office.

Mr. O'NEAL. Has your committee met and approved this request?

Mr. PATTON. No; we have not discussed it at all.

Mr. O'NEAL. I think your committee should formally take it up and consider it, because we have always been requested not to act on matters of this kind until your committee acts on them.

Mr. PATTON. Mr. Rayburn told me at the beginning of the session that we were going to have to adjust some of those salaries. When we start on that we have to go into them one by one.

Mr. O'NEAL. What is the increase requested?

Mr. SPENCE. I think he said he would like to have a salary comparable with those paid men with equal responsibility.

Mr. O'NEAL. I can say I have heard Republicans and Democrats alike praise very highly the services they have gotten in the folding room and they recognize the importance of the service.

Mr. ANDERSEN. I think that is the general opinion. I think it is the general opinion of the Republicans that Mr. Callahan has given very good service.

Mr. O'NEAL. What amount of increase has been recommended?

Mr. PATTON. It is desired to make the salary comparable with that for positions of a similar kind.

MONDAY, MARCH 15, 1943.

UNION CATALOG, LIBRARY OF CONGRESS

STATEMENT OF CARL H. MILAM, EXECUTIVE SECRETARY, AMERICAN LIBRARY ASSOCIATION

Mr. O'NEAL. We have with us Mr. Carl H. Milam, executive secretary of the American Library Association, Chicago, Ill. We shall be glad to hear any statement that you have to make, Mr. Milam.

Mr. MILAM. Mr. Chairman and gentleman, I want to make a statement very briefly in support of what I understand to be the request of the Library of Congress for an increase in funds for the Union Catalog. I want to make just two points.

The first is the need to complete the catalog before your purchases of foreign materials begin after the war.

Partly because of what has happened during the war, when there has been an unusual demand for the books, librarians and scholars have come to the conclusion that from now on we ought to try to get into some American library one copy of almost every book published anywhere in the world that has any value. They have, to that end, and in the interest of economy, set forth a plan for a division of responsibility among libraries, so that each important research library will attempt, and commit itself to attempt, to purchase all useful books in a given field; the other libraries would refrain from purchasing in that field unless they also should need to have the books in that subject on their premises.

Before starting on the purchasing program, it seems the part of wisdom to know what books we already have in the United States. There are lots of books, of course, for which we do not need a great many copies, if one is available. Hence the need to complete the Union Catalog and find out what we actually have.

The other point we wish to make is that the opportunity to complete the Union Catalog is greater now than it has ever been before. For this reason: On the initiative of the research librarians, there is being published in book form the catalog of the Library of Congress, which some of you may not have seen [indicating]. This catalog is going to run to about 160 volumes and it will cover about 2,000,000 entries, published over a period of 3 years.

This catalog is being bought by libraries at a cost, I think, of \$750 a set. Nearly 100 libraries have already agreed to check that catalog against their own holdings and to furnish cards, representing books which they have and which are not listed in the catalog, to the Union Catalog, in order that there may be a nearly complete Union Catalog in the Library of Congress of all the important books available in the United States. Those 100 libraries hold about 4,000,000 books, and the American Library Association Committee estimates that the checking of that list will add about a million titles—it may be four million; a very large number of titles, anyway—to the Union Catalog—titles of books which are already owned in this country.

We think there will be 150 or 200 libraries doing that checking before we get through, and it will probably cost them nearly \$300,000 in labor to furnish cards for the Union Catalog.

Therefore we think this committee and the Congress might well enable the Library of Congress to do this job which it asks the opportunity to do.

MR. O'NEAL. Mr. Milam, what is the American Library Association, of which you are secretary?

MR. MILAM. It is a professional association.

MR. O'NEAL. It is the leading organization of its kind in America, is it not?

MR. MILAM. I think so.

MR. O'NEAL. Its membership is composed of whom?

MR. MILAM. Libraries and librarians.

MR. O'NEAL. To what extent does it go, in numbers?

MR. MILAM. It covers the United States and Canada, and comprises about 15,000 members, and includes representatives of practically every library in every country of any importance.

Mr. O'NEAL. And you feel that you speak for these various members, these libraries and librarians, in endorsing this request, and from an intimate knowledge of the subject you believe this increase would be justified; is that correct?

Mr. MILAM. I do, sir. I think I speak especially for the librarians of the great research libraries. I am sure that I speak for them. I think I speak also for the other libraries.

Mr. O'NEAL. Has this been presented to your official organization, and has some action been taken on it?

Mr. MILAM. It has not.

Mr. O'NEAL. When you say you speak for the organization, how much does that represent, in numbers? In other words, are you presuming, from having had discussion of this matter, that you represent a large number of the membership of your organization, or just exactly how does this come to us through you?

Mr. MILAM. I am speaking without any specific authority of any organization, but with the blessing of the director of libraries of Harvard, and without the opportunity of presenting it to any board or committee.

The best answer I can make to the question is that through two projects the librarians of the large libraries are already demonstrating their intentions. Rather, there are three such projects. One is the purchase of that catalog at a large cost by approximately 300 libraries. Then there is this other cooperative project between the principal research libraries and the Librarian of Congress, to bring about a division of responsibility for purchasing various kinds of books in order to economize on purchases and yet make every useful book available. Those two projects are launched. The preliminary work has been done. The third project is to check the printed catalog. Nearly 100 libraries have agreed to engage in this project.

Mr. O'NEAL. You are taking judicial notice that they would approve this if they had an opportunity to do so?

Mr. MILAM. What I am doing is simply to take previous performance as my guide. I cannot imagine that these librarians would reverse themselves. Whenever the Union Catalog has been mentioned in meetings in recent years, it has been universally endorsed and at the same time condemned because it was not complete.

Mr. JOHNSON of Indiana. I did not understand just what your position was.

Mr. MILAM. I am the executive secretary of the American Library Association.

Mr. O'NEAL. If you desire to file a statement with us, we shall be glad to place it in the record.

Mr. MILAM. I shall be glad to do so.

Thank you, gentlemen.

(The statement submitted by Mr. Milan is as follows:)

STATEMENT BY CARL H. MILAM, EXECUTIVE SECRETARY OF THE AMERICAN LIBRARY ASSOCIATION, MARCH 15, 1943

I welcome this opportunity to testify, on behalf of American librarians, to the usefulness of the Union Catalog, to them, and through them to the research workers of America.

I. We think of the Union Catalog as essentially a tool for locating books—any book, in any library of the United States, for which an investigator has need. It is basic to interlibrary loans or to the supplying of photographic copies.

1. The Union Catalog is extensively used by Government agencies.

May I present a few examples?

The Harvard University Library acquired promptly after publication in 1941 Wilfred G. Buchett's *Pacific Treasure Island: New Caledonia; voyage through its land and wealth*, Melbourne, 1941. A card was sent to the Union Catalog. There it came to the attention of a United States Army officer. The book was borrowed from Harvard by the Army and it is understood that it proved very useful after Pearl Harbor when up-to-date information on New Caledonia was required.

The School of Military Government at Charlottesville borrowed 76 titles on the Ottoman Empire, Siam, Africa, European, and Slavic countries.

The Library of Congress itself recently borrowed 62 volumes including books on Germany, Slavic countries, Africa, Pacific Islands, Japan, and India; and some time ago borrowed 68 *Burma Gazetteers*.

The Office of Strategic Services, eight Chinese or Japanese titles, a foreign language grammar, a book on Africa, and a book on modern Greece.

Office of Emergency Management, three titles, one of them a Japanese work in eight parts.

All of the above examples are from one university, Harvard, which has also lent books in recent months to the Military Intelligence Service and the Services of Supply of the War Department; the Department of Interior; the Department of State; National Bureau of Standards; United States Naval Academy; United States Naval Training Station, New York. Similar experience could no doubt be reported by many other libraries.

2. The Union Catalog is also used extensively by libraries as a means of locating books for research workers who use those libraries.

Again examples will indicate the importance of such use.

The Harvard Library reports that it is constantly lending to university and college libraries throughout the country books—that are needed for research work on Government projects. In most cases information that the book is to be found at Harvard comes from the Union Catalog.

Princeton now has on loan from another university 44 volumes of the 1931 census of India which is being used in the Office of Population Research where a job is being done for one of the Government departments.

The University of Chicago Library reports (for 22 months) 185 titles sought, 151 located, through the Union Catalog. This in spite of the fact that the University of Chicago makes a practice of writing first to a library likely to have the books desired and uses the Union Catalog only for the most difficult items. Eight titles, urgently needed for a secret Government research project, have just been sent to the Union Catalog for location after the libraries known to be strong in the subject had been unable to produce them.

A large percentage of present use is naturally related to the war effort. The demand on the Union Catalog, as on libraries, always reflects current interests and emphasis. After the war the subjects will probably change, but the demand may be expected to keep up as long as men continue to investigate and experiment.

The use of the Union Catalog for locating an unusual book, available perhaps in only one library in the U. S., and for making that book or a copy of it available to a research worker wherever he is, must have saved thousands of man-hours on war-related research projects throughout the country since the beginning of the national defense effort.

But its lack of completeness is a handicap. The Iowa State College Library at Ames reports frequent requests for books which can not be found through the National Union Catalog. After some weeks of correspondence the books may be discovered, but the delay hinders research. The specific examples given were of books needed for military officers and for professors working on Government projects.

To be a more nearly perfect tool the Union Catalog needs to be completed. It must have one location for every important book in the country. And, as soon as feasible, it should contain one location in each section of the country for as many important books as possible.

II. The Union Catalog is also an essential part of the mechanism for the economical expansion of the total library research facilities of the United States.

Librarians and scholars are convinced that at least one copy of every important publication issued anywhere in the world should be found in an American library. In order to achieve this objective, or at least to approximate it in the major fields, as economically as possible, librarians are now engaged in an effort to bring about a large measure of library cooperation.

One element of the plan is to have each research library commit itself to the acquisition of all useful, current materials in selected fields of its special interest. It is also a part of the plan to have the participating libraries file cards for such acquisitions in the Union Catalog without delay and to make all these publications, in whatever library, immediately available to scholars throughout the United States.

Essential to the success of this enterprise also is the completion of the Union Catalog. We must know what books we have before deciding what books we still need to buy. In a recent study by the American Library Association it was estimated that there are about 4,000,000 books in American libraries which have not yet been recorded in the Union Catalog. The immediate task, as I see it, is to get cards for these books into your files.

The method devised by the Library of Congress for getting these new entries into the Union Catalog will also give new locations for many thousands, probably for many hundreds of thousands, of books already included in the Union Catalog—a byproduct of very great value.

III. The Union Catalog greatly increases the economy and effectiveness of the technical services in many great libraries, including the Library of Congress, through its use as an aid in cataloging and in the preparation of bibliographies.

IV. For the reasons given, librarians of our great libraries are now joining forces to complete the Union Catalog as quickly as possible. They will check their holdings against the Library of Congress printed catalog and furnish cards for the books not in the Library of Congress. This is estimated to represent an investment—for from 150 to 200 libraries—of perhaps \$300,000.

I am quite certain that librarians of those libraries—and most others—would wish me to urge on their behalf that you make it possible for the Library of Congress to do that comparatively small part of the job which they cannot do themselves—the part without which their own investments will be ineffective.

FRIDAY, MARCH 19, 1943.

LEGISLATIVE REFERENCE SERVICE, LIBRARY OF CONGRESS.

STATEMENT OF HON. EVERETT M. DIRKSEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS.

Mr. DIRKSEN. Mr. Chairman, I am deeply grateful to the subcommittee for the privilege of addressing a few words to the committee in behalf of an increased appropriation for the Legislative Reference Service in the Library of Congress.

For 140 years there has been a Library of Congress and compared to other great libraries of the world we can take a fine and righteous pride in our institutions. It is one of the great repositories of the world containing more than 5,000,000 books and pamphlets and more than two and one-half million maps, charts, and manuscripts.

Only a generation ago did the Congress make a beginning in utilizing this vast acquisition of data and information for legislative purposes by the creation of a Legislative Reference Service to aid Congress in discharging its responsibilities. That Service has steadily grown in extent and usefulness since its inception.

But it is only the beginning. This great array of books, charts, manuscripts, and other material is of little value to the Congress in dealing with problems of tremendous scope with the formulation of

new Federal policies and the efficient operation of Government and governmental functions unless this great storehouse of information can be made truly available to members and committees of Congress as they labor in the public field.

It is simply impossible for a Member of Congress to fully and properly discharge his responsibility except as aid and assistance is made available. When one considers the vast amount of departmental work that he must do, the volumes of mail which issue forth from his office daily, the letters which must be read, the routine business which must be discharged, the conferences, committee meetings, and consultations with people who journey to the seat of government which he must attend, there is to say the least an inadequate amount of time at his disposal in which he can accurately and truly inform himself of the proposals which he is called upon to enact into law. Yet this is the major part of his responsibility because he is called upon to vote intelligently on matters of great variety and importance which constantly affect the lives, the welfare, and the future of all the people in this country. Considering the immensity of his task, he must be equipped as must the committees with available experts who can do research work and bring to him in digest form the information and data which is so necessary for him to predicate and form sound intelligent judgment.

The Legislative Reference Service made up of experts can, therefore, be of immense assistance in enabling a representative of the people to do more work and to do better work.

This service has done excellent work, it needs enlarging, and its functions must be expanded to maximum usefulness. These were the considerations which I had in mind when on January 18, 1943 I introduced H. J. Res. 57 to provide additional research personnel for the Legislative Reference Service to serve both Members and the committees of Congress.

I realize, of course, the limitations of an appropriation bill in dealing with this matter and know quite well that legislative provisions cannot be incorporated in the pending bill. There is, however, one thing which this subcommittee can do and that is to include additional funds for the Legislative Reference Service so that they might engage additional experts to serve in a research capacity. Let me propose, therefore, Mr. Chairman that this sub-committee undertake in this bill to expand the Legislative Reference Service by increasing the appropriation by the sum of \$100,000. This in my judgment is a modest request when measured against the amount of constructive work which such experts can do in enabling the Congress to have before it all the facts on a given proposition. I feel impelled to say that for every dollar expended on this service, there will be returned not only substantial economies but improved public service as well.

Today we deal with vast operations of government involving hundreds of billions of dollars. It thus becomes an almost staggering responsibility for members of the legislative branch and they cannot be too informed on every aspect of governmental operation. People expect them to know, the people expect from them intelligent and dispassionate judgment based upon facts and it takes time to develop all the facts in relation to a given proposition which may be pending before this body. We have been so generous and so lavish with other

agencies of government and the time has come for Congress to expend some additional funds on research facilities that will enable it to do more work and better work and to that end I am suggesting that this appropriation be increased for the Legislative Reference Service.

THURSDAY, MARCH 18, 1943.

PRESS AND RADIO CORRESPONDENTS' GALLERIES

STATEMENTS OF NED BROOKS, CHAIRMAN OF STANDING COMMITTEE CORRESPONDENTS; AND CECIL B. DICKSON, SECRETARY, STANDING COMMITTEE CORRESPONDENTS; AND FRED W. MORRISON, CHAIRMAN, AND EARL GODWIN, SECRETARY EXECUTIVE COMMITTEE, RADIO CORRESPONDENTS' ASSOCIATION

Mr. O'NEAL. The members of this subcommittee would like very much, for our own education, and for the purpose of the record, to have a statement from the representatives of the Press Gallery and the Radio Gallery, as to how you gentlemen operate; whether you are adequately or inadequately manned, or whether you are overmanned. There are some members of this committee who are new to the legislative appropriation bill, and what we are looking for is a general statement and some information concerning your activities.

We appreciate very much your coming before us to tell us about it, and we would like to have you understand that we are in no sense critical in our attitude. This is a subject that we do not know very much about.

Mr. DICKSON. We shall be very glad to give you any information we have, Mr. Chairman.

GENERAL STATEMENT

Mr. BROOKS. I have a short statement, Mr. Chairman, that I should like to make, representing the standing committee of correspondents.

Mr. O'NEAL. We shall be glad to have it at this time, Mr. Brooks.

Mr. BROOKS. The business of the press galleries has increased tremendously, due largely to the war, as indicated by the large listing of accredited correspondents in the Congressional Directory of the Seventy-eighth Congress.

The House and Senate galleries are open from 9 a. m. until 7 p. m., or later, every day in the year, with the exception of two holidays, Christmas and New Year's.

DUTIES OF PERSONNEL OF HOUSE PRESS GALLERY

The House Press Gallery personnel consists of the superintendent, two assistants, and one messenger. The gallery now has 15 telephones, and we are averaging something more than 200 calls per day.

The Superintendent and his assistants are required to take care of all calls to and from correspondents and be informed on the legislative program and parliamentary procedure.

Members of Congress, employees of the war agencies, and other Government departments continually call the press galleries for information concerning committee meetings and other activities of the Congress.

The superintendents of the Senate and House press galleries are constantly engaged in research work for correspondents. The superintendents themselves, and their chief assistants, are career men, and their long experience in legislative matters is invaluable to members of the press galleries.

In addition to the regular gallery duties, both superintendents assist with the President's press conferences twice a week, working with the White House Secret Service on identification of newspapermen.

These men also are charged with the arranging and supervision of press requirements for all important news events in Washington, away from the Capitol, especially events where the President is expected to be present. This particular phase of their duties includes the handling of all press arrangements for both political conventions, which is quite an undertaking, inasmuch as there are usually something more than a thousand newspapers represented at those conventions. The standing committee of correspondents has had this responsibility at these conventions since 1904, and it is the committee which supervises the activities of the paid staff.

In the early 1920's, the personnel of the galleries consisted of 4 employees, and there were 4 telephones at that time. From year to year the facilities in the galleries have increased, but the number of employees has remained the same.

The Superintendent of the House Press Gallery at present receives \$3,660 per year; his first assistant receives \$2,820, his second assistant, \$2,400, and one messenger gets \$1,560.

Here are some figures which show the growth of membership. The newspapermen in the press galleries from 1920 to 1940 rose in number as follows: In 1920 we had 235 members; in 1930, 349; in 1940, 524.

And the latest issue of the directory will show more than 560, which indicates a steady increase through the years. The work of the galleries has increased probably 50 percent as a result of war activities, and over this period there has been little change in the personnel of the galleries with the exception of the messengers, who are usually younger men, and some of whom have gone into the service. The turn-over among these messengers has been very large, but the career men have held on for quite a considerable time.

For the benefit of the correspondents, the personnel of both galleries keep a daily check of the congressional committee meetings, making press arrangements, supplying correspondents with copies of prepared testimony, posting the names of witnesses and keeping themselves generally informed on any information that would be useful to correspondents. Members of Congress, war agencies, and governmental departments frequently call on the gallery staffs for information and assistance of the same character, although the primary responsibility of the employees is to their press duties.

As the activities of the Federal Government have been greatly enlarged, newspapermen have a larger territory to cover, and the serv-

ice which they get from the gallery employees has been extremely helpful to members of the press corps.

Another duty of the employees is the compilation of the press section for the Congressional Directory, which is issued twice a year. This list is used by the White House and other Government departments for information concerning the gallery membership. The listing in this section of the directory is changing almost daily, and involves considerable clerical work, as it must be kept correct and up to date. In that connection, it may be pointed out that approximately 110 members of the galleries have entered the armed services since 1940, indicating the turn-over that has taken place and the clerical work necessitated thereby.

During 1935 and 1936, it became necessary to enlarge the space of both galleries, because of the need for additional facilities and room to carry on the increasing business of the galleries efficiently. The proper committees of both Houses approved the recommendations of the standing committee and extensive improvements were made.

We have prepared some figures on the matter of the pay of these employees, which indicate in a general way that their salaries have not increased in proportion to the cost of living, and we do not think the salaries have been increased commensurately with the importance of the jobs and the amount of work these men have to perform. I should like Mr. Dickson to go into that a little, if he may.

Mr. O'NEAL. We shall be glad to hear Mr. Dickson at this time.

SALARIES OF EMPLOYEES OF THE HOUSE PRESS GALLERY

Mr. DICKSON. Mr. Chairman, last week the Committee had a meeting and recommended that I take up with you and the Speaker the question of the salaries, particularly of the men in the House gallery at this time. As I understand it, the Senate committee will handle the matter for the Senate side.

The figures that they recommended are \$3,900 for the Superintendent; \$3,000 for the first assistant; \$2,800 for the second assistant; with no change in the salary of the messenger.

In that connection, about a year ago, we dropped one man from the House Gallery staff, although most of the activity of this session has been on the House side. In the Senate we have five men.

As Mr. Brooks has said, the duties of these men have increased. One thing that has been very important to the Government has been the check-up that is made of these correspondents, in which the Army and Navy Intelligence, the State Department, and the O. W. I. are interested. The turnover has been great, and they have to pass us before they can get into those places.

Because the turnover has been so great, we have cut the membership to 1 year; cards are issued for 1 year, in order to keep a closer check on the men. Mr. Beckley, who is superintendent of the Senate Press Gallery, has had to keep a very close check on that, too.

The White House does not allow any correspondent into the press conferences there unless they have credentials that have been given them up here.

These employees have been here a long time, and their salary raises have been infrequent. I think the last basic raise was in 1929.

We should like to request some recognition for these men.

Mr. O'NEAL. Mr. Dickson, as you probably know, this is a subcommittee of the Appropriations Committee or the legislative establishment, but we do not handle legislative matters as such; merely the appropriation of money for the various branches of the establishment. Legislative matters, such as the matter of changes in salary and the creation of new positions, are taken up initially by the Committee on Accounts. That is a matter of House practice of long standing. We have left those matters to the Committee on Accounts, who after they have passed on them, have sent them along to us. So that this matter should properly be presented to them first. But we are glad to know what the situation is. I think you can understand why that procedure must be so.

Mr. DICKSON. We appreciate your mentioning it to us.

NUMBER OF EMPLOYEES AND SALARIES OF EMPLOYEES OF SENATE PRESS GALLERY

Mr. JOHNSON. I understood you to say that there were five employees in the Senate Press Gallery?

Mr. BROOKS. That is correct.

Mr. JOHNSON. What salaries do they receive?

Mr. BROOKS. I do not have the figures here. I know that the superintendents of the two galleries receive the same amount, but there is some variation in the salaries of the assistants.

Mr. JOHNSON. Do you know any reason why they should have more employees on the Senate side?

Mr. DICKSON. Perhaps I could explain that. We had in the House an old gentleman who had been with us for many, many years. When he got very old, he did not show up frequently, and then he retired, and there was not any one available to fill his job, so we just cancelled out the job.

Mr. O'NEAL. Those figures will be found on page 15 of the bill; superintendent, \$3,660; assistant superintendent, \$3,000; assistant superintendent, \$1,920; messengers for service to press correspondents—two at \$1,560 each, two at \$1,440 each.

DUTIES OF ASSISTANTS IN HOUSE PRESS GALLERY

Mr. ANDERSEN. Mr. Dickson, do you feel that there is ample work for the two assistants to the superintendent of the House Press Gallery?

Mr. DICKSON. Yes, I do. The hours are very long, 6 days a week, from 9 in the morning until 7 in the evening. Mr. Donaldson on the House side and Mr. Beckley, on the Senate side, have to spend a greater part of 2 days each week at the White House. It is very important for them to be there, because they assist the White House Secret Service men in identifying all visitors, accredited men, with whom the White House men may not be familiar. That is done right there at the time. That takes them out of their regular places.

With 200 telephone calls average per day, and all of the messenger service, and time out for eating, and so forth, I think they put in a good deal of work.

Mr. ANDERSEN. They really give value for the money received?

Mr. DICKSEN. I should think so.

Mr. BROOKS. It would certainly be impossible to get along with any less, considering the increase of business that we have had for the past few years. In fact, the question was raised whether or not we should try to reinstate the job that we abolished a couple of years ago.

Mr. DICKSEN. One thing has come in, which was not heretofore a factor; the O. W. I. tries to keep track of all news, and all of the departments are constantly calling up for developments on bills. There never has been so much interest in legislation since I have been here. These men have to keep track of these things so that they can give the information. Government departments call up. The Agriculture Department wants to know the progress of a certain bill through the House, or the O. W. I., or the O. P. A.

Mr. JOHNSON. Would it not be much better if the Agriculture Department, wishing to know something about the progress of a bill, would call the committee handling the bill rather than going the long way, through the Press Gallery?

Mr. BROOKS. We try to confine the giving of this information to members of the gallery, to newspaper men. But when these people call up, there is not much we can do but answer the question. It is a short cut for a lot of people to get the information that way.

Mr. JOHNSON. It is difficult for me to understand why a Government agency would have to call the press gallery to find out what is happening to a bill which they are interested in.

Mr. DICKSON. They cannot always get hold of the chairman, which newspaper men can do, when the chairman is on the floor.

Mr. BROOKS. Of course, we do not encourage the practice.

Mr. O'NEAL. Of course, while the bill is under consideration, information is available from the press gallery which would not be available in the committee room.

Mr. JOHNSON. The story goes around that the departments always have a person on hand all the time; that is not correct, then?

Mr. BROOKS. I would not say it is not correct at all. I think they do in a great many cases.

Mr. JOHNSON. That is what I thought.

NUMBER OF CORRESPONDENTS IN ATTENDANCE AT GALLERY

Mr. JOHNSON. How many correspondents usually use the Press Gallery?

Mr. BROOKS. It varies a great deal.

Mr. JOHNSON. I mean as an average?

Mr. BROOKS. I would say a couple of hundred, one hundred in each gallery. Of course, on some days there is a much larger number; for instance, when the President is up here.

Mr. JOHNSON. Of course, that is very infrequent.

Mr. BROOKS. I would say a couple of hundred each day on the average.

Mr. JOHNSON. What sort of research work do these men do for the press?

Mr. BROOKS. They get copies of reports and bills for members of the gallery. It is not strictly research, perhaps, but they do extend those small conveniences which save time for the correspondents. They keep files on various subjects; various pending bills. They keep various versions of bills and reports, and get any other information they can on the subject.

Mr. JOHNSON. This set-up is supplied by the Government?

Mr. BROOKS. That is correct.

Mr. JOHNSON. For the use and benefit of the press.

Mr. BROOKS. Yes, and it has been ever since the galleries were organized nearly 100 years ago.

Mr. O'NEAL. And it is a very essential service, is it not?

Mr. BROOKS. Extremely so.

Mr. JOHNSON. Does the press contribute anything to it other than their services in getting the news?

Mr. DICKSON. No, but I think if you would compare our set-up with some of these publicity bureaus in the departments, you would find that ours is a very economical service.

Mr. JOHNSON. I think there is no question about that.

Mr. BROOKS. It is in no sense a propaganda agency.

Mr. DICKSON. There is a certain amount of service that is made available to Members of Congress of both Houses, who want to contact the men who represent the papers in their areas, for purposes of statements, and so forth. Also in obtaining transcripts of speeches. Every day, as a matter of fact, Members of the House and the Senate will want to contact the men from their region for news that they want to get back. It is rather a mutual service.

DEFERMENTS FROM SELECTIVE SERVICE

Mr. JOHNSON. There is one other question, and it is one that we have been asking each agency that has appeared before us. You have mentioned that quite a few of your men had joined the service. Have you had any deferments of eligible men?

Mr. ANDERSEN. That is, employees of the gallery.

Mr. BROOKS. No.

Mr. DICKSON. We have taken no steps to get deferment for any one.

Mr. BROOKS. The superintendent and the two chief assistants over here I think would be deferred for other reasons; that is, dependency and age.

Mr. Donaldson, the House superintendent, has been here since 1911, and has been superintendent since 1913.

The reason we suggest this increase for him, and for the corresponding position in the Senate, is that his pay has been the same since 1929 and we think he should be raised at least to the level of committee clerks because of the responsibility of the job.

HOUSE RADIO GALLERY

Mr. O'NEAL. We shall be glad to have a statement now from the representatives of the Radio Gallery.

Mr. MORRISON. Mr. Chairman, I do not have any prepared statement.

Mr. O'NEAL. Just tell us what your work is, for purposes of information.

SALARY OF SUPERINTENDENT AND ASSISTANT

Mr. MORRISON. We have two men here in the House Gallery, the superintendent, Mr. Menaugh and an assistant, Paul Ridgely. They do the same work, substantially, that the men do in the Press Gallery. It parallels right down the line, and I think it would be repetitious for me to go into it in detail after you have already heard the statement of the representatives of the Press Gallery.

The services of those men are of tremendous importance to us. Mr. Menaugh is a career man, and, I might say here, a very much underpaid career man, so that I may have that in the record.

Mr. Menaugh gets \$2,700 a year. The comparable job in the Senate pays \$3,000 a year. There is absolutely no difference in the work and there is no reason that I can see why we should not get for the House Radio Gallery superintendent the same salary that is paid to the Senate Radio Gallery superintendent.

Mr. O'NEAL. Tell us how you operate.

Mr. MORRISON. We operate substantially the same as the Press Gallery, except we do not go in for routine coverage. Most of us have ticker services and depend upon the ticker services for the routine, detailed coverage.

Mr. O'NEAL. What becomes of the news that you gather? What do you do with it? Do you give it to the broadcasting companies or stations, or how do you handle it?

Mr. MORRISON. The members of the Gallery are news representatives of the networks, of the stations, and of the news-gathering agencies for radio. The same way as it is processed and put out in the newspapers. All of the networks and bureaus have men up here in addition to the commentators themselves.

Mr. O'NEAL. They gather the information individually just as a representative of the press does, and you merely furnish the help around there and give them facilities for processing it, as you say?

Mr. MORRISON. That is correct.

Mr. JOHNSON. What are the employees' duties in the Radio Gallery?

Mr. MORRISON. The services of the employees of the Radio Galleries are very, very vital to us. We could not operate without them.

Mr. JOHNSON. What do they do?

Mr. MORRISON. They coordinate the whole job of gathering the news. They keep track of practically everything that is going on up here. If we want to make inquiry as to the status of a certain bill, or whatever is going on, they are the first people we contact. They are the intermediary between the radio newsrooms, bureaus, and Congress. They are the only means we have of getting in touch, or keeping in touch, with what is going on in Congress.

Mr. GORE. You mean they keep track of the bills; that is, whether the bills are in committee or whether the committee is considering them, whether they are reporting them, or what position they occupy on the calendar of the House.

Mr. MORRISON. That is right; and, as a matter of fact, it goes much further than that.

Mr. O'NEAL. Mr. Earl Godwin is present, and if he desires, we shall be very glad to have a statement from him at this time.

Mr. GODWIN. Mr. Chairman, as the secretary of the Radio Gallery, may I make a brief statement?

Mr. O'NEAL. Yes.

Mr. GODWIN. I think the chairman of our executive committee has explained the situation, at least to my satisfaction.

I have been a member of both galleries, having been an official of the Press Gallery and now of the Radio Gallery.

Over the years, the employees of both galleries, I would say, have been extremely loyal to the legislative branch. They stand up for the interests of the Congress.

Mr. GORE. And I would like to say the same for the gentleman who is now speaking.

Mr. GODWIN. Thank you, Mr. Gore. A newsman could not operate the news business of the country, could not operate here, either for press or radio, without the organization of the Radio Gallery and the Press Gallery, as they have grown up over the years.

The Radio Gallery, I know, is very efficient and is operated very economically, and has the added touch of career loyalty, which has a great deal to do with the high standard of the employees of the gallery and the accuracy of the end product.

It is impossible to cover Washington on foot or in a taxicab or even by telephone, and we need this type of organization which you have provided, as members of Congress.

For instance, Mr. Menaugh and his assistant will have ready, as the day opens, a schedule of progress of the "hot" bills, the current things; the committee meetings; the place and the time and the subject.

In the course of the day, they will also have some of the end product of the work of Congress and you can rely upon them at any of the 24 hours of the day, to get a good answer to your questions by telephone no matter where you are.

For that reason, I believe you gentlemen should be proud of your organization here. I know that you are not critical of it. I must say, without any disparagement of any one, that there is no more efficient, nor economical bureau connected with the dissemination of news than you have in the Radio Gallery of the House.

In addition to the news gathering, radio sometimes covers the House by direct broadcast. That is done under the rules and regulation of the Speaker. The employees of the Radio Gallery make that easy. We get the right people, in the Capitol, and get them to the right places, so that they will not interfere with the police arrangements, on card days. The Radio Gallery employees are quite helpful also, I should say, to the House officials and the police in getting the right people in, and keeping the "also-rans" and the wrong people out.

This is an extemporaneous statement. I have never had any opportunity to say this to any House committee since becoming a member of the Radio Gallery and I am glad to have the opportunity today.

Mr. O'NEAL. Gentlemen, we appreciate very much your coming to see us and the information you have given us. This hearing has been conducted not from any critical sense but merely to inform ourselves and the House on the situation.

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Union Calendar No. 120

78TH CONGRESS
1ST SESSION

H. R. 2409

[Report No. 346]

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1943

Mr. O'NEAL, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the state of the Union and ordered to be printed

A BILL

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the following sums are appropriated, out of any money
- 4 in the Treasury not otherwise appropriated, for the Legis-
- 5 lative Branch and for the Judiciary for the fiscal year ending
- 6 June 30, 1944, namely:

1 TITLE I—LEGISLATIVE BRANCH

2 SENATE

3 SALARIES AND MILEAGE OF SENATORS

4 For compensation of Senators, \$960,000.

5 For mileage of the President of the Senate and of
6 Senators, \$51,000.7 For compensation of officers, clerks, messengers, and
8 others:

9 OFFICE OF THE VICE PRESIDENT

10 Salaries: For clerical assistance to the Vice President,
11 at rates of compensation to be fixed by him, \$11,460.

12 CHAPLAIN

13 Chaplain of the Senate, \$1,680.

14 OFFICE OF THE SECRETARY

15 Salaries: Secretary of the Senate, including compensa-
16 tion as disbursing officer of salaries of Senators and of
17 contingent fund of the Senate, \$8,000; Chief Clerk, who
18 shall perform the duties of reading clerk, \$5,500 and \$1,500
19 additional so long as the position is held by the present
20 incumbent; financial clerk, \$5,000 and \$1,000 additional
21 so long as the position is held by the present incumbent;
22 assistant financial clerk, \$4,500; Parliamentarian, \$5,000
23 and \$1,500 additional so long as the position is held by
24 the present incumbent; Journal Clerk, \$4,000 and \$500
25 additional so long as the position is held by the present in-

1 cumbent; principal clerk \$4,000; legislative clerk, \$4,000
 2 and \$1,000 additional so long as the position is held by
 3 the present incumbent; enrolling clerk, \$4,000; printing
 4 clerk, \$3,540 and \$460 additional so long as the position
 5 is held by the present incumbent; chief bookkeeper, \$3,600;
 6 librarian, \$3,600; executive clerk, \$3,180 and \$420 addi-
 7 tional so long as the position is held by the present in-
 8 cumbent; first assistant librarian, \$3,120; keeper of
 9 stationery, \$3,320; clerks—one at \$3,600, one at \$3,360,
 10 one at \$3,180, three at \$2,880 each, one at \$2,640 and
 11 \$660 additional so long as the position is held by the
 12 present incumbent, two at \$2,640 each, clerk in Disbursing
 13 Office, \$2,400, six at \$2,400 each, three at \$1,860 each,
 14 three at \$1,740 each; assistant in library, \$1,440; special
 15 officer, \$2,460; assistants at the press door—one at \$2,200,
 16 one at \$1,900; messenger, \$1,260; laborers—one at \$1,800,
 17 one at \$1,620, four at \$1,440 each, one at \$1,380, one in
 18 Secretary's office, \$1,680, one \$1,560, one, \$1,260; in all,
 19 \$150,020.

DOCUMENT ROOM

21 Salaries: Superintendent, \$3,960 and \$1,040 additional
 22 so long as the position is held by the present incumbent;
 23 first assistant, \$2,640; second assistant, \$2,040; four assist-
 24 ants, at \$2,040 each; skilled laborer, \$1,380; in all,
 25 \$19,220.

1 COMMITTEE EMPLOYEES

2 Clerks and messengers to the following committees:
 3 Agriculture and Forestry—clerk, \$3,900; assistant clerk,
 4 \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400;
 5 assistant clerk, \$2,220; additional clerk, \$1,800. Appro-
 6 priations—clerk, \$7,000 and \$1,000 additional so long as
 7 the position is held by the present incumbent; assistant
 8 clerk, \$4,800; assistant clerk, \$3,900; three assistant clerks
 9 at \$3,000 each; two assistant clerks at \$2,220 each; mes-
 10 senger, \$1,800. To Audit and Control the Contingent
 11 Expenses of the Senate—clerk, \$3,900; assistant clerk,
 12 \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220;
 13 additional clerk, \$1,800. Banking and Currency—clerk,
 14 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400;
 15 assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assist-
 16 ant clerk, \$2,400; assistant clerk, \$2,220; additional clerk,
 17 \$1,800. Claims—clerk, \$3,900; assistant clerk, \$2,880; as-
 18 sistant clerk, \$2,580; two assistant clerks at \$2,220 each.
 19 Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant
 20 clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks
 21 at \$2,220 each. Conference Majority of the Senate—clerk,
 22 \$3,900; assistant clerk, \$2,880; two assistant clerks at
 23 \$2,580 each; assistant clerk, \$2,220. Conference Minority
 24 of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two
 25 assistant clerks at \$2,580 each; assistant clerk, \$2,220. Dis-

1 trict of Columbia—clerk, \$3,900; two assistant clerks at
 2 \$2,880 each; assistant clerk, \$2,220; additional clerk,
 3 \$1,800; additional clerical assistance at rates of compensation
 4 to be fixed by the chairman of said committee, \$6,000. Edu-
 5 cation and Labor—clerk, \$3,900; assistant clerk, \$2,580;
 6 assistant clerk, \$2,220; additional clerk, \$1,800. Enrolled
 7 Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 8 \$2,220; assistant clerk, \$1,800; additional clerk, \$1,800.
 9 Expenditures in the Executive Departments—clerk, \$3,900;
 10 assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 11 tional clerk, \$1,800. Finance—clerk, \$4,200 and \$500
 12 additional so long as the position is held by the pres-
 13 sent incumbent; special assistant to the committee, \$3,600;
 14 assistant clerk, \$2,880; assistant clerk, \$2,700; assist-
 15 ant clerk, \$2,400; two assistant clerks at \$2,220 each;
 16 two experts (one for the majority and one for the minority)
 17 at \$3,600 each; messenger, \$1,800. Foreign Relations—
 18 clerk, \$3,900; assistant clerk, \$2,880; assistant clerk,
 19 \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800;
 20 messenger, \$1,800. Immigration—clerk, \$3,900; assistant
 21 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 22 \$1,800. Indian Affairs—clerk, \$3,900; assistant clerk,
 23 \$3,600 and \$1,400 additional so long as the position
 24 is held by the present incumbent; assistant clerk, \$2,880;
 25 assistant clerk, \$2,400; assistant clerk, \$2,220; additional

1 clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant
 2 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 3 \$1,800. Interstate Commerce—clerk, \$3,900; assistant
 4 clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at
 5 \$2,580 each; assistant clerk, \$2,220. Irrigation and Rec-
 6 lamation—clerk, \$3,900; assistant clerk, \$2,580; assistant
 7 clerk, \$2,220; two additional clerks at \$1,800 each. Judici-
 8 ary—clerk, \$3,900; assistant clerk, \$2,880; two assistant
 9 clerks at \$2,580 each; assistant clerk, \$2,220. Library—
 10 clerk, \$3,900; two assistant clerks at \$2,400 each; assistant
 11 clerk, \$2,220; additional clerk, \$1,800. Manufactures—
 12 clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 13 \$2,220; additional clerk, \$1,800. Military Affairs—clerk,
 14 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; as-
 15 sistant clerk, \$2,400; two assistant clerks at \$2,220 each.
 16 Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400;
 17 assistant clerk, \$2,220; two additional clerks at \$1,800 each.
 18 Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assist-
 19 ant clerk, \$2,400; two assistant clerks at \$2,220 each. Pat-
 20 ents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 21 \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900;
 22 assistant clerk, \$2,580; four assistant clerks at \$2,220 each.
 23 Post Offices and Post Roads—clerk, \$3,900; assistant clerk,
 24 \$2,880; assistant clerk, \$2,520; three assistant clerks at
 25 \$2,220 each; additional clerk, \$1,800. Printing—clerk,

1 \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 2 tional clerk, \$1,800. Privileges and Elections—clerk, \$3,900;
 3 assistant clerk, \$2,400; assistant clerk, \$2,220; addi-
 4 tional clerk, \$1,800. Public Buildings and Grounds—clerk,
 5 \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220;
 6 assistant clerk, \$2,000; additional clerk, \$1,800. Public
 7 Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880;
 8 assistant clerk, \$2,580; two assistant clerks at \$2,220 each.
 9 Rules—clerk, \$3,900 and \$200 toward the preparation bi-
 10 ennially of the Senate Manual under the direction of the Com-
 11 mittee on Rules; assistant clerk, \$2,880; assistant
 12 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 13 \$1,800. Territories and Insular Affairs—clerk, \$3,900;
 14 assistant clerk, \$2,580; two assistant clerks at \$2,220 each;
 15 two assistant clerks at \$2,000 each; additional clerk,
 16 \$1,800; in all, \$507,740.

17 CLERICAL ASSISTANCE TO SENATORS

18 Clerical assistance to Senators who are not chairmen of
 19 the committees specially provided for herein, as follows:
 20 Seventy clerks at \$3,900 each; seventy assistant clerks at
 21 \$2,400 each; and seventy assistant clerks at \$2,220 each;
 22 such clerks and assistant clerks shall be ex officio clerks and
 23 assistant clerks of any committee of which their Senator is
 24 chairman; seventy additional clerks at \$1,800 each, one for
 25 each Senator having no more than one clerk and two assistant

1 clerks for himself or for the committee of which he is chair-
 2 man; messenger, \$1,800; in all, \$724,200.

3 Ninety-six additional clerks at \$1,800 per annum each,
 4 one for each Senator, \$172,800.

5 Ninety-six additional clerks at \$1,800 per annum each,
 6 one for each Senator, \$172,800.

7 Twenty-eight additional clerks at \$1,500 per annum
 8 each, one for each Senator from each State which has a popu-
 9 lation of three million or more inhabitants, \$42,000.

10 For three additional clerks at \$1,500 per annum each for
 11 each Senator from any State which has a population of ten
 12 million or more inhabitants, \$9,000; for two additional clerks
 13 at \$1,500 per annum each for each Senator from any State
 14 which has a population of five million or more inhabitants but
 15 less than ten million, \$36,000, in all, \$45,000: *Provided*,
 16 That such additional clerks shall be in addition to any other
 17 clerical assistance to which Senators are entitled, and shall
 18 be employed only during the period of the emergency.

19 Senators and chairmen of standing committees may re-
 20 arrange or change the schedule of salaries and the number
 21 of employees in their respective offices or committees: *Pro-*
 22 *vided*, That such changes shall not increase the aggregate of
 23 the salaries provided for such offices or committees by law
 24 or Senate resolution: *Provided further*, That no salary shall
 25 be fixed hereunder at a rate in excess of \$4,500 per annum

1 and no action shall be taken to reduce any salary which is
 2 specifically fixed by law at a rate higher than \$4,500: *Pro-*
 3 *vided further*, That Senators and committee chairmen, on
 4 or before the first day of the month in which such changes
 5 are to become effective, shall certify in writing such changes
 6 or rearrangements to the disbursing office which shall there-
 7 after pay such employees in accord with such changed
 8 schedule.

9 In all, clerical assistance to Senators, \$1,156,800.

10 OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

11 Salaries: Sergeant at Arms and Doorkeeper, \$8,000;
 12 two secretaries (one for the majority and one for the minor-
 13 ity), at \$5,400 each and \$1,500 additional each so long as
 14 the respective positions are held by the present respective
 15 incumbents; two assistant secretaries (one for the majority
 16 and one for the minority), at \$4,320 each and \$480 addi-
 17 tional each so long as the respective positions are held by the
 18 present respective incumbents; Deputy Sergeant at Arms
 19 and storekeeper, \$4,800 and \$1,000 additional so long as
 20 the position is held by the present incumbent; clerks—one
 21 \$3,120, one \$2,200, one \$2,100, one \$2,120, one \$1,800,
 22 one to the secretary for the majority, \$2,280 and \$120 addi-
 23 tional so long as the position is held by the present incum-
 24 bent, one to the secretary for the minority, \$2,280, one

1 \$1,500; assistant doorkeeper, \$2,880; messengers—three
2 (acting as assistant doorkeepers) at \$2,400 each; one at
3 \$1,740 and \$260 additional so long as the position is held
4 by the present incumbent; twenty-nine (including four for
5 minority) at \$1,740 each; four at \$1,620 each; one at card
6 door, \$2,640, and \$240 additional so long as the position is
7 held by the present incumbent; clerk on Journal work for
8 Congressional Record to be selected by the Official Reporters,
9 \$3,360; upholsterer and locksmith, \$2,600; cabinetmaker,
10 \$2,040; three carpenters at \$2,040 each; janitor, \$2,400;
11 five skilled laborers, \$1,680 each; laborer in charge of private
12 passage, \$1,740 and \$120 additional so long as the position
13 is held by the present incumbent; four female attendants in
14 charge of ladies' retiring rooms, at \$1,500 each; three female
15 attendants in charge of ladies' retiring rooms, Senate Office
16 Building, at \$1,500 each; attendant authorized by S. Res.
17 252, adopted May 13, 1938, \$1,500; telephone operators—
18 chief \$2,460 and \$280 additional so long as the position is
19 held by the present incumbent; fourteen at \$1,620 each;
20 laborer in charge of Senate toilet rooms in old library space,
21 \$1,200; press gallery—superintendent, \$3,660; assistant
22 superintendent, \$3,000; assistant superintendent, \$1,920;
23 messengers for service to press correspondents—two at \$1,560
24 each, two at \$1,440 each; radio press gallery—superintend-

ent, \$3,000; assistant superintendent, \$1,960; laborers—
 three at \$1,380 each, thirty at \$1,260 each, three at \$480
 each; special employees—seven at \$1,000 each; twenty-one
 pages for the Senate Chamber, at the rate of \$4 per day each,
 during the session. \$15,288; in all, \$277,228.

Police force for Senate Office Building under the Ser-
 geant at Arms: Lieutenant, \$1,740; special officer, \$1,740;
 three sergeants at \$1,680 each; twenty-eight privates at
 \$1,620 each; in all, \$53,880.

POST OFFICE

Salaries: Postmaster, \$3,600; assistant postmaster.
 \$2,880; chief clerk, \$2,460; wagon master, \$2,280; twenty-
 six mail carriers, at \$1,740 each; in all, \$56,460.

FOLDING ROOM

Salaries: Foreman, \$2,460 and \$540 additional so long
 as the position is held by the present incumbent; clerk,
 \$2,280; clerk, \$1,740; folders—chief, \$2,040, fourteen at
 \$1,440 each; in all, \$29,220.

CONTINGENT EXPENSES OF THE SENATE

Vice President's automobile: For purchase, exchange,
 driving, maintenance, and operation of an automobile for the
 Vice President, \$4,000.

Reporting Senate proceedings: For reporting the

1 debates and proceedings of the Senate, payable in equal
2 monthly installments, \$66,340.

3 Furniture: For services in cleaning, repairing, and
4 varnishing furniture, \$2,000.

5 Furniture: For materials for furniture and repairs of
6 same, exclusive of labor, and for the purchase of furniture,
7 \$8,000.

8 Inquiries and investigations: For expenses of inquiries
9 and investigations ordered by the Senate, including com-
10 pensation to stenographers of committees, at such rate as
11 may be fixed by the Committee to Audit and Control the
12 Contingent Expenses of the Senate, but not exceeding 25
13 cents per hundred words, \$150,000: *Provided*, That no
14 part of this appropriation shall be expended for per diem
15 and subsistence expenses except in accordance with the pro-
16 visions of the Subsistence Expense Act of 1926, approved
17 June 3, 1926, as amended.

18 Joint Committee on Internal Revenue Taxation: For
19 payment of one-half of the salaries and other expenses of the
20 Joint Committee on Internal Revenue Taxation as author-
21 ized by law, \$30,000.

22 Folding documents: For folding speeches and pamphlets
23 at a rate not exceeding \$1 per thousand, \$18,000.

24 For materials for folding, \$1,500.

1 Fuel, and so forth: For fuel, oil, cotton waste, and
2 advertising, exclusive of labor, \$2,000.

3 Senate restaurants: For repairs, improvements, equip-
4 ment, and supplies for Senate kitchens and restaurants.
5 Capitol Building, and Senate Office Building, including per-
6 sonal and other services, to be expended from the contingent
7 fund of the Senate, under the supervision of the Committee
8 on Rules, United States Senate, \$35,000.

9 Motor vehicles: For maintaining, exchanging, and
10 equipping motor vehicles for carrying the mails and for
11 official use of the offices of the Secretary and Sergeant at
12 Arms, \$8,760.

13 Miscellaneous items: For miscellaneous items, exclusive
14 of labor, \$350,000.

15 Packing boxes: For packing boxes, \$970.

16 Postage stamps: For office of Secretary, \$350; office of
17 Sergeant at Arms, \$150; in all, \$500.

18 Air-mail stamps: For air-mail stamps for Senators and
19 the President of the Senate, as authorized by law, \$4,850.

20 Stationery: For stationery for Senators and for the Presi-
21 dent of the Senate, including \$7,500 for stationery for com-
22 mittees and offices of the Senate, \$26,900.

23 Rent: For rent of warehouse for storage of public
24 documents, \$2,000.

HOUSE OF REPRESENTATIVES

SALARIES AND MILEAGE OF MEMBERS

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, \$4,385,000.

For mileage of Representatives, the Delegate from Hawaii and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, \$171,000.

For compensation of officers, clerks, messengers and others:

OFFICE OF THE SPEAKER

Salaries: Secretary to the Speaker, \$4,620; three clerks to the Speaker, at \$2,400 each; messenger to Speaker, \$1,680; in all, \$13,500.

THE SPEAKER'S TABLE

Salaries: Parliamentarian \$5,000, and \$2,500 additional so long as the position is held by the present incumbent, and for preparing Digest of the Rules, \$1,000 per annum; Assistant Parliamentarian, \$3,000 and \$1,500 additional so long as the position is held by the present incumbent; messenger to Speaker's table, \$1,740 and \$660 additional so long as the position is held by the present incumbent; in all, \$15,400.

CHAPLAIN

Chaplain of the House of Representatives, \$1,680, and

1 \$820 additional so long as the position is held by the present
2 incumbent.

3 OFFICE OF THE CLERK

4 Salaries: Clerk of the House of Representatives, in-
5 cluding compensation as disbursing officer of the contingent
6 fund, \$8,000; Journal clerk, two reading clerks, and tally
7 clerk, at \$5,000 each; enrolling clerk, \$4,000; disbursing
8 clerk, \$3,960 and \$1,040 additional so long as the position
9 is held by the present incumbent; file clerk, \$3,780; chief
10 bill clerk, \$3,540; assistant enrolling clerk, \$3,900; assist-
11 ant tally clerk, \$3,600; assistant reading clerk, \$3,600,
12 to continue available under the limitations of House
13 Resolution Numbered 241, adopted June 20, 1941; assistant
14 to disbursing clerk, \$3,120; stationery clerk, \$2,880; librar-
15 ian, \$2,760; assistant librarian and assistant file clerk, at
16 \$2,520 each; assistant Journal clerk and assistant librarian,
17 at \$2,460 each; clerks—one at \$2,460, four at \$2,340 each;
18 bookkeeper and assistant in disbursing office, at \$2,160 each;
19 assistant in disbursing office, \$1,800; three assistants to
20 chief bill clerk at \$2,100 each; stenographer to the Clerk.
21 \$2,500; assistant in stationery room, \$1,740; three mes-
22 sengers at \$1,680 each; stenographer to Journal clerk,
23 \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each;
24 telephone operators—assistant chief, \$1,800, twenty-three
25 at \$1,620 each; substitute telephone operator, when re-

quired, at \$4 per day, \$1,464; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, \$3,960; two assistant custodians at \$3,360 each; locksmith and typewriter repairer, \$1,860; messenger and clock repairer, \$1,740; operation, maintenance, and repair of motor vehicles, \$1,200; in all, \$182,144.

9

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors to the following committees: Accounts—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$5,000 and \$2,500 additional so long as the position is held by the present incumbent; assistant clerk, \$3,900 and \$1,100 additional so long as the position is held by the present incumbent: two assistant clerks at \$3,900 each and \$600 each additional so long as the respective positions are held by the present respective incumbents; assistant clerk, \$3,900; assistant clerk, \$3,300 and \$600 additional so long as the position is held by the present incumbent; additional clerical assistants at rates to be fixed by the chairman of the Committee on Appropriations, \$15,960; messenger, \$1,680; four clerk-stenographers

1 at the annual rate of \$1,800 each, one for each subcommittee
 2 of the Committee on Appropriations having jurisdiction over
 3 a regular annual appropriation bill as shall be designated by
 4 the chairman of the Committee on Appropriations and to be
 5 appointed by the chairmen of the subcommittees so desig-
 6 nated, subject to the approval of the chairman, \$7,200.
 7 Banking and Currency—clerk, \$2,760; assistant clerk,
 8 \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor,
 9 \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260.
 10 Claims—clerk, \$3,300; assistant clerk, \$2,460; assistant clerk,
 11 \$1,800; janitor, \$1,260. Coinage, Weights, and Measures—
 12 clerk, \$2,760; janitor, \$1,260. Disposition of Executive
 13 Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300;
 14 assistant clerk, \$2,460; janitor, \$1,260. Education—clerk,
 15 \$2,760; janitor, \$1,260. Election of the President, Vice
 16 President, and Representatives in Congress—clerk, \$2,760.
 17 Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elec-
 18 tions Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections
 19 Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled
 20 Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in the
 21 Executive Departments—clerk, \$3,300; janitor, \$1,260.
 22 Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Af-
 23 fairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260.
 24 Immigration and Naturalization—clerk, \$3,300; assistant

1 clerk, \$2,400; janitor, \$1,260. Indian Affairs—clerk,
 2 \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular
 3 Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and For-
 4 eign Commerce—clerk, \$3,900; additional clerk, \$2,640;
 5 assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Rec-
 6 lamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—
 7 clerk, \$3,300; assistant clerk, \$2,880; expert examiner,
 8 \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—
 9 clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980;
 10 janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk,
 11 \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor,
 12 \$1,260. Merchant Marine and Fisheries—clerk, \$2,760;
 13 assistant clerk, \$1,740; janitor, \$1,260. Military Affairs—
 14 clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560.
 15 Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval
 16 Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor,
 17 \$1,560. Patents—clerk, \$2,760; janitor, \$1,260. Pen-
 18 sions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260.
 19 Post Office and Post Roads—clerk, \$3,300; assistant clerk,
 20 \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor,
 21 \$1,560. Public Buildings and Grounds—clerk, \$3,300; as-
 22 sistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk,
 23 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision
 24 of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and
 25 Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor,

1 \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740;
 2 janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk,
 3 \$2,100; clerk-stenographer, \$1,800; janitor, \$1,260. Ter-
 4 ritories—clerk, \$2,760; janitor, \$1,260. War Claims—clerk,
 5 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and
 6 Means—clerk, \$4,620; assistant clerk, \$3,000; assistant clerk
 7 and stenographer, \$2,640; assistant clerk, \$2,580; clerk for
 8 minority, \$3,180 and \$420 additional so long as the position
 9 is held by the present incumbent; janitors—one, \$1,560; two
 10 at \$1,260 each. World War Veterans' Legislation—clerk,
 11 \$3,300; assistant clerk, \$2,460; in all, \$337,600.

12 OFFICE OF SERGEANT AT ARMS

13 Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant
 14 at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant
 15 cashier, \$4,000; two bookkeepers at \$3,360 each; Deputy
 16 Sergeant at Arms in charge of pairs, \$3,600; special assistant
 17 to Sergeant at Arms, \$2,400; pair clerk and messenger,
 18 \$2,820; stenographer, \$2,500; skilled laborer, \$1,380; hire
 19 of automobile, \$600; in all, \$41,200.

20 Police force, House Office Building, under the Sergeant
 21 at Arms: Lieutenant, \$1,740; three sergeants at \$1,680 each;
 22 thirty-five privates at \$1,620 each; in all, \$63,480.

23 OFFICE OF DOORKEEPER

24 Salaries: Doorkeeper, \$6,000; special employee, \$3,000;
 25 superintendent of House Press Gallery, \$3,660; assistants to

1 the superintendent of the House Press Gallery—one at
2 \$2,520, and \$300 additional so long as the position is held
3 by the present incumbent, and one at \$2,400; House Radio
4 Press Gallery—superintendent of radio room at \$2,700;
5 messenger at \$1,560; chief janitor, \$2,700; messengers—one
6 chief messenger, \$2,240, sixteen messengers at \$1,740 each,
7 fourteen on soldiers' roll at \$1,740 each; laborers—seventeen
8 at \$1,260 each, two (cloakroom) at \$1,380 each, one
9 (cloakroom), \$1,260, and seven (cloakroom) at \$1,140
10 each; three female attendants in ladies' retiring rooms at
11 \$1,680 each, attendant for the ladies' reception room,
12 \$1,440; superintendent of folding room, \$3,180 and \$420
13 additional so long as the position is held by the present in-
14 cumbent; foreman of folding room, \$2,640; chief clerk to
15 superintendent of folding room, \$2,460; three clerks at
16 \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one
17 folders at \$1,440 each; shipping clerk, \$1,740; two drivers at
18 \$1,380 each; two chief pages at \$1,980 each; two telephone
19 pages at \$1,680 each; two floor managers of telephones (one
20 for the minority) at \$3,180 each and \$300 each additional so
21 long as the respective positions are held by the respective
22 present incumbents; two assistant floor managers in charge of
23 telephones (one for the minority) at \$2,100 each; forty-
24 seven pages during the session, including ten pages for duty at

1 the entrances to the Hall of the House at \$4 per day
 2 each, \$34,216; superintendent of document room (Elmer
 3 A. Lewis), \$3,960 and \$1,040 additional so long as the
 4 position is held by the present incumbent; assistant super-
 5 intendent of document room, \$2,760; clerk, \$2,320; assistant
 6 clerk, \$2,160; eight assistants at \$1,860 each; janitor,
 7 \$1,440; messenger to press room (House Press Gallery),
 8 \$1,560; maintenance and repair of folding-room motortruck,
 9 \$500; in all, \$269,336.

10 SPECIAL AND MINORITY EMPLOYEES

11 For the minority employees authorized and named in
 12 the House Resolutions Numbered 51 and 53 of December 11,
 13 1931, as amended: Two at \$5,000 each, three at \$3,000
 14 each; one at \$3,600 and \$300 additional while the position
 15 is held by the present incumbent (minority pair clerk,
 16 House Resolution Numbered 313 of August 7, 1935); in
 17 all, \$22,900.

18 Special employees: Assistant foreman of the folding
 19 room, authorized in the resolution of September 30, 1913,
 20 \$1,980; laborer, authorized and named in the resolution of
 21 April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

22 Successors to any of the employees provided for in the
 23 two preceding paragraphs may be named by the House of
 24 Representatives at any time.

1 Office of majority floor leader: Legislative clerk, \$3,110;
 2 clerk, \$2,530; additional clerk, \$2,000; two assistant clerks,
 3 at \$1,800 each; for official expenses of the majority leader,
 4 as authorized by House Resolution Numbered 101, Seventy-
 5 first Congress, adopted December 18, 1929, \$2,000; in all,
 6 \$13,240.

7 Conference minority: Clerk, \$3,180; legislative clerk,
 8 \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all,
 9 \$9,900. The foregoing employees to be appointed by the
 10 minority leader.

11 Two messengers, one in the majority caucus room and
 12 one in the minority caucus room, to be appointed by the
 13 majority and minority whips, respectively, at \$1,740 each;
 14 in all, \$3,480.

15 POST OFFICE

16 Salaries: Postmaster, \$5,000; assistant postmaster,
 17 \$2,880; two registry and money-order clerks, at \$2,100
 18 each; forty messengers (including one to superintend trans-
 19 portation of mails), at \$1,740 each; substitute messengers
 20 and extra services of regular employees, when required, at
 21 the rate of not to exceed \$145 per month each, \$1,740;
 22 laborer, \$1,260; in all, \$84,680.

23 Motor vehicles: For the purchase, exchange, mainte-
 24 nance, and repair of motor vehicles for carrying the mails,
 25 \$2,200.

OFFICIAL REPORTERS OF DEBATES

Salaries: Seven official reporters of the proceedings and debates of the House at \$7,500 each; clerk, \$4,000; assistant clerk, \$2,000; six expert transcribers at \$2,000 each; in all, \$70,500.

COMMITTEE STENOGRAPHERS

Salaries: Four stenographers to committees, at \$7,000 each and two stenographers to committees, at \$6,000 each; clerk, \$3,360; in all, \$43,360: *Provided*, That any sums received from the sale of copies of transcripts of hearings of committees reported by such stenographers shall be covered into the Treasury as "miscellaneous receipts".

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-two days from January 1 to June 30, 1944, both inclusive.

CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, in accordance with the Act entitled "An Act to fix the compensation of officers and employees of the legislative branch of the Government", approved June 20, 1929, as amended by the Act of July 25, 1939, \$2,847,000.

1 CONTINGENT EXPENSES OF THE HOUSE

2 Furniture: For furniture and materials for repairs of the
3 same, including not to exceed \$29,000 for labor, tools, and
4 machinery for furniture repair shops, \$40,000.

5 Miscellaneous items: For miscellaneous items, exclu-
6 sive of salaries unless specifically ordered by the House of
7 Representatives, including the sum of \$27,500 for payment
8 to the Architect of the Capitol in accordance with section
9 208 of the Act approved October 9, 1940 (Public Act
10 812, Seventy-sixth Congress), the reimbursement to the
11 official stenographers to committees for the amounts actually
12 paid out by them for transcribing hearings, and materials
13 for folding, \$95,000.

14 Reporting hearings: For stenographic reports of hearings
15 of committees other than special and select committees,
16 \$30,000.

17 Special and select committees: For expenses of special
18 and select committees authorized by the House, \$400,000.

19 Joint Committee on Internal Revenue Taxation: For
20 payment of one-half of the salaries and other expenses of
21 the Joint Committee on Internal Revenue Taxation as
22 authorized by law, \$35,500.

23 Funeral expenses: No part of the appropriations con-
24 tained in this title for the contingent expenses of the House of
25 Representatives shall be used to defray the expenses of any

1 committee consisting of more than six persons (not more
2 than four from the House and not more than two from the
3 Senate), nor to defray the expenses of any other person
4 except the Sergeant at Arms of the House or a representa-
5 tive of his office, and except the widow or minor children
6 or both of the deceased, to attend the funeral rites and burial
7 of any person who at the time of his or her death is a
8 Representative, a Delegate from a Territory, or a Resident
9 Commissioner from Puerto Rico.

10 Telegraph and telephone: For telegraph and telephone
11 service, exclusive of personal services, \$175,000.

12 Stationery: For stationery for Representatives, Dele-
13 gates, and the Resident Commissioner from Puerto Rico,
14 for the second session of the Seventy-eighth Congress,
15 and for stationery for the use of the committees and officers
16 of the House (not to exceed \$5,000), \$92,600.

17 Attending physician's office: For medical supplies,
18 equipment, and contingent expenses of the emergency room
19 and for the attending physician and his assistants, including
20 an allowance of \$1,500 to be paid to the attending physician
21 in equal monthly installments as authorized by the Act
22 approved June 27, 1940 (54 Stat. 629), and including an
23 allowance of not to exceed \$30 per month each to four
24 assistants as provided by the House resolutions adopted

1 July 1, 1930, January 20, 1932, and November 18,
2 1940, \$6,985.

3 Postage stamps: Postmaster, \$200; Clerk, \$400; Ser-
4 geant at Arms, \$250; Doorkeeper, \$100; in all, \$950.

5 To enable the Clerk of the House to procure and furnish
6 each Representative, Delegate, and the Resident Commis-
7 sioner from Puerto Rico, United States air mail and special
8 delivery postage stamps as authorized by law, \$21,900.

9 Folding documents: For folding speeches and pamphlets,
10 at a rate not exceeding \$1 per thousand or for the employ-
11 ment of personnel at a rate not to exceed \$4 per day per
12 person, \$30,000, of which \$5,000 shall be available imme-
13 diately.

14 Revision of laws: For preparation and editing of the
15 laws as authorized by the Act approved May 29, 1928
16 (1 U. S. C. 59), \$8,000, to be expended under the
17 direction of the Committee on Revision of the Laws.

18 Clerk's office, special assistance: For assistants in com-
19 piling lists of reports to be made to Congress by public
20 officials; compiling copy and revising proofs for the House
21 portion of the Official Register; preparing and indexing the
22 statistical reports of the Clerk of the House; compiling the
23 telephone and Members' directories; preparing and index-
24 ing the daily calendars of business; preparing the official
25 statement of Members' voting records; preparing lists of

1 congressional nominees and statistical summary of elections;
2 preparing and indexing questions of order printed in the
3 Appendix to the Journal pursuant to House Rule III;
4 for recording and filing statements of political committees
5 and candidates for election to the House of Representatives
6 pursuant to the Federal Corrupt Practices Act, 1925 (2
7 U. S. C. 241-256); and for such other assistance as the
8 Clerk of the House may deem necessary and proper in
9 the conduct of the business of his office, \$4,500: *Provided*,
10 That no part of this appropriation shall be used to augment
11 the annual salary of any employee of the House of
12 Representatives.

13 Speaker's automobile: For exchange, driving, mainte-
14 nance, repair, and operation of an automobile for the Speaker,
15 \$4,000.

16 CAPITOL POLICE

17 Salaries: Captain, \$2,700; three lieutenants, at \$1,740
18 each; special officer, \$1,740; three sergeants, at \$1,680
19 each; fifty-two privates, at \$1,620 each; one-half of said
20 privates to be selected by the Sergeant at Arms of
21 the Senate and one-half by the Sergeant at Arms of the
22 House; in all, \$98,940: *Provided*, That no part of any
23 appropriation contained in this Act shall be paid as com-
24 pensation to any person appointed after June 30, 1935, as
25 an officer or member of the Capitol Police (including those

1 for the Senate and House Office Buildings) who does not
2 meet the standards to be prescribed for such appointees by
3 the Capitol Police Board: *Provided further*, That the
4 Capitol Police Board is hereby authorized to detail police
5 from the House and Senate Office Buildings for police duty
6 on the Capitol Grounds.

7 General expenses: For purchasing and supplying uni-
8 forms, purchase, exchange, maintenance, and repair of motor-
9 propelled passenger-carrying vehicles, contingent expenses,
10 including \$25 per month for extra services performed by a
11 member of such force for the Capitol Police Board,
12 \$9,400.

13 Capitol Police Board: To enable the Capitol Police
14 Board to provide additional protection during the present
15 emergency for the Capitol Buildings and Grounds, including
16 the Senate and House Office Buildings and the Capitol Power
17 Plant, \$55,000. Such sum shall only be expended for
18 payment for salaries and other expenses of personnel de-
19 tailed from the Federal Bureau of Investigation, the Secret
20 Service of the Treasury Department, and the Metropolitan
21 Police of the District of Columbia, and the heads of such
22 agencies and the Commissioners of the District of Columbia
23 are authorized and directed to make such details upon the
24 request of the Board. Personnel so detailed shall, during the
25 period of such detail, serve under the direction and instruc-
26 tions of the Board and is authorized to exercise the same

1 authority as members of such Metropolitan Police and mem-
2 bers of the Capitol Police and to perform such other duties
3 as may be assigned by the Board. Reimbursement for
4 salaries and other expenses of such detailed personnel shall be
5 made to the Federal agency or the government of the Dis-
6 trict of Columbia, respectively, and any sums so reimbursed
7 shall be credited to the appropriation or appropriations from
8 which such salaries and expenses are payable and be avail-
9 able for all the purposes thereof: *Provided*, That any person
10 detailed under the authority of this paragraph or under simi-
11 lar authority in the Legislative Branch Appropriation Act,
12 1942, and the Second Deficiency Appropriation Act, 1940,
13 from the Metropolitan Police of the District of Columbia
14 shall be deemed a member of such Metropolitan Police dur-
15 ing the period or periods of any such detail for all purposes
16 of rank, pay, allowances, privileges, and benefits to the same
17 extent as though such detail had not been made, and at the
18 termination thereof any such person who was a member of
19 such police on July 1, 1940, shall have a status with respect
20 to rank, pay, allowances, privileges, and benefits which is
21 not less than the status of such person in such police at the
22 end of such detail.

23 One-half of the foregoing amounts under "Capitol Police"
24 shall be disbursed by the Secretary of the Senate and one
25 half by the Clerk of the House.

1 JOINT COMMITTEE ON PRINTING

2 Salaries: Clerk, \$4,000 and \$800 additional so long as
3 the position is held by the present incumbent; inspector un-
4 der section 20 of the Act approved January 12, 1895 (44
5 U. S. C. 49), \$2,820; assistant clerk and stenographer,
6 \$2,640; for expenses of compiling, preparing, and indexing
7 the Congressional Directory, \$1,600; in all, \$11,860, one-
8 half to be disbursed by the Secretary of the Senate and the
9 other half to be disbursed by the Clerk of the House.

10 OFFICE OF LEGISLATIVE COUNSEL

11 Salaries and expenses: For salaries and expenses of
12 maintenance of the Office of Legislative Counsel, as author-
13 ized by law, \$83,000, of which \$42,000 shall be disbursed
14 by the Secretary of the Senate and \$41,000 by the Clerk of
15 the House of Representatives.

16 STATEMENT OF APPROPRIATIONS

17 For preparation, under the direction of the Committees
18 on Appropriations of the Senate and House of Representa-
19 tives of the statements for the first session of the Seventy-
20 eighth Congress, showing appropriations made, indefinite
21 appropriations, and contracts authorized, together with a
22 chronological history of the regular appropriation bills, as
23 required by law, \$4,000, to be paid to the persons desig-
24 nated by the chairmen of such committees to do the work.

1 ARCHITECT OF THE CAPITOL

2 OFFICE OF THE ARCHITECT OF THE CAPITOL

3 Salaries: For the Architect of the Capitol, Assistant
4 Architect of the Capitol, and other personal services at rates
5 of pay provided by law; and the Assistant Architect of the
6 Capitol shall act as Architect of the Capitol during the
7 absence or disability of that official or whenever there is no
8 Architect; \$64,100.

9 Appropriations under the control of the Architect of the
10 Capitol shall be available for expenses of travel on official
11 business not to exceed in the aggregate under all funds the
12 sum of \$750.

13 CAPITOL BUILDINGS AND GROUNDS

14 Capitol Buildings: For necessary expenditures for the
15 Capitol Building and electrical substations of the Senate
16 and House Office Buildings, under the jurisdiction of the
17 Architect of the Capitol, including minor improvements,
18 maintenance, repair, equipment, supplies, material, fuel, oil,
19 waste, and appurtenances; furnishings and office equipment;
20 special clothing for workmen; waterproof wearing apparel;
21 personal and other services; cleaning and repairing works
22 of art; maintenance and driving of motor-propelled pas-
23 senger-carrying office vehicle; not exceeding \$300 for the
24 purchase of technical and necessary reference books, peri-

1 odicals, and city directory; not to exceed \$150 for expenses
2 of attendance, when specifically authorized by the Architect
3 of the Capitol, at meetings or conventions in connection
4 with subjects related to work under the Architect of the
5 Capitol; and the compensation of the position of supervising
6 engineer shall be at the rate of \$6,000 per annum so long
7 as the position is held by the person who was the incumbent
8 thereof on May 15, 1941; \$289,200.

9 Capitol Grounds: For care and improvement of grounds
10 surrounding the Capitol, Senate and House Office Buildings;
11 Capitol Power Plant; personal and other services; care of
12 trees; planting; fertilizers; repairs to pavements; walks, and
13 roadways; purchase of waterproof wearing apparel; main-
14 tenance of signal lights; and for snow removal by hire of
15 men and equipment or under contract without compliance
16 with section 3709 (41 U. S. C. 5) of the Revised Statutes,
17 \$103,200.

18 Legislative garage: For maintenance, repairs, altera-
19 tions, personal and other services, and all necessary inci-
20 dental expenses, \$12,720.

21 Subway transportation, Capitol and Senate Office Build-
22 ings: For repairs, rebuilding, and maintenance of the subway
23 system connecting the Senate Office Building with the Sen-
24 ate wing of the United States Capitol and for personal and

1 other services, including maintenance of the cars, track, and
2 electrical equipment connected therewith, \$1,500.

3 Senate Office Building: For maintenance, miscellaneous
4 items and supplies, including furniture, furnishings, and
5 equipment, and for labor and material incident thereto, and
6 repairs thereof; and for personal and other services, includ-
7 ing four female attendants in charge of ladies' retiring rooms
8 at \$1,500 each, for the care and operation of the Senate Office
9 Building; to be expended under the control and supervision
10 of the Architect of the Capitol; in all, \$313,560.

11 House Office Buildings: For maintenance, including
12 equipment, waterproof wearing apparel, miscellaneous items,
13 and for all necessary services, \$390,200.

14 Capitol Power Plant: For lighting, heating, and power
15 for the Capitol, Senate and House Office Buildings, Supreme
16 Court Building, Congressional Library Buildings, and the
17 grounds about the same, Botanic Garden, legislative garage,
18 and folding and storage rooms of the Senate, and for air-
19 conditioning refrigeration not supplied from plants in any
20 of such buildings; for heating the Government Printing
21 Office and Washington City Post Office and for light and
22 power therefor whenever available; personal and other serv-
23 ices, engineering instruments, fuel, oil, materials, labor,
24 advertising, and purchase of waterproof wearing apparel

1 in connection with the maintenance and operation of the
2 plant, \$765,600.

3 The appropriations under the control of the Architect of
4 the Capitol may be expended without reference to section 4
5 of the Act approved June 17, 1910 (41 U. S. C. 7), con-
6 cerning purchases for executive departments.

7 The Government Printing Office and the Washington
8 City Post Office shall reimburse the Capitol Power Plant for
9 heat, light, and power whenever any such service is furnished
10 during the fiscal year 1944, and the amounts so reimbursed
11 shall be covered into the Treasury.

12 LIBRARY BUILDINGS AND GROUNDS

13 MECHANICAL AND STRUCTURAL MAINTENANCE

14 Salaries: For chief engineer and all personal services
15 at rates of pay provided by law, \$98,300.

16 Salaries, Sunday opening: For extra services of
17 employees and additional employees under the Architect of
18 the Capitol to provide for the opening of the Library
19 Buildings on Sundays and on holidays, at rates to be fixed
20 by such Architect, \$7,300.

21 General repairs, and so forth: For necessary expendi-
22 tures for the Library Buildings and Grounds under the juris-
23 diction of the Architect of the Capitol, including minor im-
24 provements, maintenance, repair, equipment, supplies, water-
25 proof wearing apparel, material, and appurtenances, and

1 personal and other services in connection with the mechanical
2 and structural maintenance of such buildings and grounds,
3 \$25,000.

4 BOTANIC GARDEN

5 Salaries: For personal services (including not exceeding
6 \$3,000 for miscellaneous temporary labor without regard
7 to the Classification Act of 1923, as amended), \$82,000; all
8 under the direction of the Joint Committee on the Library.

9 Maintenance, operation, repairs, and improvements:
10 For all necessary expenses incident to maintaining, operat-
11 ing, repairing, and improving the Botanic Garden, and the
12 nurseries, buildings, grounds, and equipment pertaining
13 thereto, including procuring fertilizers, soils, tools, trees,
14 shrubs, plants, and seeds; materials and miscellaneous sup-
15 plies, including rubber boots and aprons when required for
16 use by employees in connection with their work; not to
17 exceed \$25 for emergency medical supplies; disposition of
18 waste; traveling expenses of the Director and his assistants
19 not to exceed \$250; street-car fares not exceeding \$25;
20 office equipment and contingent expenses; the prevention
21 and eradication of insect and other pests and plant diseases
22 by purchase of materials and procurement of personal serv-
23 ices by contract without regard to the provisions of any
24 other Act; repair, maintenance, operation, purchase, and
25 exchange of motortrucks, and maintenance, repair, and

1 operation of a passenger motor vehicle; purchase of botan-
 2 ical books, periodicals, and books of reference, not to exceed
 3 \$100; repairs and improvements to Director's residence;
 4 and all other necessary expenses; all under the direction of
 5 the Joint Committee on the Library, \$21,000.

6 No part of the appropriations contained in this title for
 7 the Botanic Garden shall be used for the distribution, by con-
 8 gressional allotment, of trees, plants, shrubs, or other nursery
 9 stock.

10 LIBRARY OF CONGRESS

11 Salaries, Library, Proper: For the Librarian, the
 12 Librarian Emeritus, Chief Assistant Librarian, and other
 13 personal services, including special and temporary services
 14 and extra special services of regular employees (not exceed-
 15 ing \$5,000) at rates to be fixed by the Librarian, \$1,459,900.

16 COPYRIGHT OFFICE

17 Salaries: For the Register of Copyrights, assistant
 18 register, and other personal services, \$294,100.

19 LEGISLATIVE REFERENCE SERVICE

20 Salaries: To enable the Librarian of Congress to employ
 21 competent persons to gather, classify, and make available,
 22 in translations, indexes, digests, compilations, and bulletins,
 23 and otherwise, data for or bearing upon legislation, and to
 24 render such data serviceable to Congress, and committees and
 25 Members thereof, and for printing and binding the digests

1 of public general bills, and including not to exceed \$5,700 for
 2 employees engaged on piece work and work by the day or
 3 hour at rates to be fixed by the Librarian, \$148,300: *Pro-*
 4 *vided*, That not more than \$20,000 of this sum shall be used
 5 for preparation and reproduction of copies of the Digest of
 6 General Public Bills.

7 DISTRIBUTION OF CARD INDEXES

8 Salaries and expenses: For the distribution of card
 9 indexes and other publications of the Library, including per-
 10 sonal services, freight charges (not exceeding \$500), ex-
 11 pressage, postage, traveling expenses connected with such
 12 distribution, expenses of attendance at meetings when in-
 13 curred on the written authority and direction of the Librarian,
 14 and including not to exceed \$30,000 for employees engaged
 15 in piece work and work by the day or hour and for extra
 16 special services of regular employees at rates to be fixed by
 17 the Librarian; in all, \$234,100.

18 INDEX TO STATE LEGISLATION

19 Salaries and expenses: To enable the Librarian of Con-
 20 gress to prepare an index to the legislation of the several
 21 States, together with a supplemental digest of the more im-
 22 portant legislation, as authorized and directed by the Act
 23 entitled "An Act providing for the preparation of a biennial
 24 index to State legislation", approved February 10, 1927
 25 (2 U. S. C. 164, 165), including personal and other services

1 within and without the District of Columbia, including not
 2 to exceed \$2,500 for special and temporary services at rates
 3 to be fixed by the Librarian, travel, necessary material and
 4 apparatus, and for printing and binding the indexes and
 5 digests of State legislation for official distribution only, and
 6 other printing and binding incident to the work of compila-
 7 tion, stationery, and incidentals, \$37,760.

8

SUNDAY OPENING

9 Salaries: To enable the Library of Congress to be kept
 10 open for reference use on Sundays and on holidays within
 11 the discretion of the Librarian, including the extra services
 12 of employees and the services of additional employees under
 13 the Librarian, at rates to be fixed by the Librarian, \$15,000.

14

UNION CATALOGUES

15 Salaries and expenses: To continue the development and
 16 maintenance of the Union Catalogues including personal
 17 services within and without the District of Columbia (and
 18 not to exceed \$700 for special and temporary services, in-
 19 cluding extra special services of regular employees, at rates
 20 to be fixed by the Librarian), travel, necessary material and
 21 apparatus, stationery, photostat supplies, and incidentals,
 22 \$51,700.

23

INCREASE OF THE LIBRARY OF CONGRESS

24 General increase of Library: For purchase of books,
 25 miscellaneous periodicals and newspapers, photo-copying

1 supplies and photo-copying labor, and all other material
2 for the increase of the Library, including payment in advance
3 for subscription books and society publications, and for
4 freight, commissions, and traveling expenses not to exceed
5 \$20,000, including expenses of attendance at meetings when
6 incurred on the written authority and direction of the
7 Librarian in the interest of collections, and all other expenses
8 incidental to the acquisition of books, miscellaneous periodi-
9 cals and newspapers, and all other material for the increase
10 of the Library, by purchase, gift, bequest, or exchange,
11 \$198,000, to continue available during the fiscal year 1945.

12 Increase of the law library: For the purchase of books
13 and for legal periodicals for the law library, including pay-
14 ment for legal society publications and for freight, commis-
15 sions, traveling expenses not to exceed \$2,500, including
16 expenses of attendance at meetings when incurred on the
17 written authority and direction of the Librarian in the inter-
18 est of collections, and all other expenses incidental to the
19 acquisition of lawbooks, and all other material for the increase
20 of the law library, \$95,000, to continue available during
21 the fiscal year 1945.

22 Books for the Supreme Court: For the purchase of
23 books and periodicals for the Supreme Court, to be a part
24 of the Library of Congress, and purchased by the Marshal

1 of the Supreme Court, under the direction of the Chief
2 Justice, \$20,000.

3 BOOKS FOR ADULT BLIND

4 To enable the Librarian of Congress to carry out the
5 provisions of the Act entitled "An Act to provide books for
6 the adult blind", approved March 3, 1931 (2 U. S. C.
7 135a), as amended, \$370,000, including not exceeding
8 \$20,000 for personal services and not exceeding \$500 for
9 necessary traveling expenses connected with such service
10 and for expenses of attendance at meetings when incurred
11 on the written authority and direction of the Librarian.

12 PRINTING AND BINDING

13 General printing and binding: For miscellaneous print-
14 ing and binding for the Library of Congress, including the
15 Copyright Office, and the binding, rebinding, and repairing
16 of library books, and for the Library Buildings, \$270,000.

17 Printing the Catalogue of Title Entries of the Copyright
18 Office: For the publication of the Catalogue of Title Entries
19 of the Copyright Office and the decisions of the United States
20 courts involving copyright, \$30,000.

21 Printing catalog cards: For the printing of catalog cards
22 and of miscellaneous publications relating to the distribution
23 of card indexes, \$260,000.

24 CONTINGENT EXPENSES OF THE LIBRARY

25 For miscellaneous and contingent expenses, stationery,

1 office supplies, stock and materials directly purchased,
2 miscellaneous traveling expenses, postage, transportation,
3 incidental expenses connected with the administration of the
4 Library and Copyright Office, including not exceeding \$500
5 for expenses of attendance at meetings when incurred on
6 the written authority and direction of the Librarian,
7 \$20,800.

8 For furniture, including the purchase of office and library
9 equipment, apparatus, and labor-saving devices, \$16,000,
10 to be expended under the direction of the Librarian of Con-
11 gress.

12 For personal services, paper, chemicals, and miscel-
13 laneous supplies necessary for the operation of the photo-
14 duplicating machines of the Library and the making of
15 photoduplicate prints, \$26,700.

16 Security of collections: The unexpended balances of sums
17 appropriated under this head in the First Deficiency Appro-
18 priation Act, 1942, to enable the Librarian to effect pre-
19 cautionary measures for the security of the collections of the
20 Library of Congress, including the objects specified there-
21 under, are hereby reappropriated and made available for the
22 fiscal year 1944.

23 LIBRARY BUILDINGS

24 Salaries: For the superintendent and other personal serv-
25 ices, in accordance with the Classification Act of 1923, as

1 amended, including special and temporary services and spe-
2 cial services of regular employees in connection with the
3 custody, care, and maintenance of the Library Buildings in
4 the discretion of the Librarian (not exceeding \$750) at rates
5 to be fixed by the Librarian, \$314,300.

6 For extra services of employees and additional em-
7 ployees under the Librarian to provide for the opening of
8 the Library Buildings on Sundays and on holidays, at
9 rates to be fixed by the Librarian, \$8,000, of which \$700
10 shall be available immediately.

11 For mail, delivery, including maintenance, operation,
12 and repair of a motor-propelled passenger-carrying vehicle,
13 telephone services, rubber boots, rubber coats, and other
14 special clothing for employees, uniforms for guards and
15 elevator conductors, medical supplies, equipment, and con-
16 tingent expenses for the emergency room, stationery, mis-
17 cellaneous supplies, and all other incidental expenses in
18 connection with the custody and maintenance of the Library
19 Buildings, \$16,600: *Provided*, That any appropriations
20 under the control of the Librarian of Congress may be ex-
21 pended without reference to section 3709 of the Revised
22 Statutes (41 U. S. C. 5) in any case when the total amount
23 of the purchase involved does not exceed the sum of \$100.

24 LIBRARY OF CONGRESS TRUST FUND BOARD

25 For any expense of the Library of Congress Trust Fund

1 Board not properly chargeable to the income of any trust
2 fund held by the Board, \$100.

3 Not to exceed ten positions in the Library of Congress
4 may be exempt from the provisions of section 205 of the
5 Independent Offices Appropriation Act, 1944, but the Librar-
6 ian shall not make any appointment to any such position
7 until he has ascertained that he cannot secure for such ap-
8 pointment a person in any of the three categories specified
9 in such section 205 who possesses the special qualifications
10 for the particular position and also otherwise meets the gen-
11 eral requirements for employment in the Library of Congress.

12 GOVERNMENT PRINTING OFFICE

13 WORKING CAPITAL AND CONGRESSIONAL PRINTING AND 14 BINDING

15 To provide the Public Printer with a working capital for
16 the following purposes for the execution of printing, binding,
17 lithographing, mapping, engraving, and other authorized
18 work of the Government Printing Office for the various
19 branches of the Government: For salaries of Public Printer
20 and Deputy Public Printer; for salaries, compensation, or
21 wages of all necessary officers and employees additional to
22 those herein appropriated for, including employees necessary
23 to handle waste paper and condemned material for sale; to
24 enable the Public Printer to comply with the provisions of
25 law granting holidays and half holidays and Executive orders

1 amended, including special and temporary services and spe-
2 cial services of regular employees in connection with the
3 custody, care, and maintenance of the Library Buildings in
4 the discretion of the Librarian (not exceeding \$750) at rates
5 to be fixed by the Librarian, \$314,300.

6 For extra services of employees and additional em-
7 ployees under the Librarian to provide for the opening of
8 the Library Buildings on Sundays and on holidays, at
9 rates to be fixed by the Librarian, \$8,000, of which \$700
10 shall be available immediately.

11 For mail, delivery, including maintenance, operation,
12 and repair of a motor-propelled passenger-carrying vehicle,
13 telephone services, rubber boots, rubber coats, and other
14 special clothing for employees, uniforms for guards and
15 elevator conductors, medical supplies, equipment, and con-
16 tingent expenses for the emergency room, stationery, mis-
17 cellaneous supplies, and all other incidental expenses in
18 connection with the custody and maintenance of the Library
19 Buildings, \$16,600: *Provided*, That any appropriations
20 under the control of the Librarian of Congress may be ex-
21 pended without reference to section 3709 of the Revised
22 Statutes (41 U. S. C. 5) in any case when the total amount
23 of the purchase involved does not exceed the sum of \$100.

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5 Independent Offices Appropriation Act, 1944, but the Librar-
6 ian shall not make any appointment to any such position
7 until he has ascertained that he cannot secure for such ap-
8 pointment a person in any of the three categories specified
9 in such section 205 who possesses the special qualifications
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11 eral requirements for employment in the Library of Congress.

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16 the following purposes for the execution of printing, binding,
17 lithographing, mapping, engraving, and other authorized
18 work of the Government Printing Office for the various
19 branches of the Government: For salaries of Public Printer
20 and Deputy Public Printer; for salaries, compensation, or
21 wages of all necessary officers and employees additional to
22 those herein appropriated for, including employees necessary
23 to handle waste paper and condemned material for sale; to
24 enable the Public Printer to comply with the provisions of
25 law granting holidays and half holidays and Executive orders

1 granting holidays and half holidays with pay to employees;
2 to enable the Public Printer to comply with the provisions
3 of law granting leave to employees with pay, such pay to be
4 at the rate for their regular positions at the time the leave is
5 granted; rental of buildings and equipment; fuel, gas, heat,
6 electric current, gas and electric fixtures; bicycles, motor-
7 propelled vehicles for the carriage of printing and printing
8 supplies, and the maintenance, repair, and operation of the
9 same, to be used only for official purposes, including opera-
10 tion, repair, and maintenance of motor-propelled passenger-
11 carrying vehicles, for official use of the officers of the Govern-
12 ment Printing Office when in writing ordered by the Public
13 Printer; freight, expressage, telegraph and telephone service,
14 furniture, typewriters, and carpets; traveling expenses, in-
15 cluding not to exceed \$3,000 for attendance at meetings or
16 conventions when authorized by the Joint Committee on
17 Printing; stationery, postage and advertising; directories,
18 technical books, newspapers and magazines, and books of
19 reference (not exceeding \$500); adding and numbering
20 machines, time stamps, and other machines of similar char-
21 acter; rubber boots, coats, and gloves; machinery (not ex-
22 ceeding \$300,000); equipment, and for repairs to machinery,
23 implements, and buildings, and for minor alterations to build-
24 ings; necessary equipment, maintenance, and supplies for the
25 emergency room for the use of all employees in the Govern-

1 ment Printing Office who may be taken suddenly ill or
2 receive injury while on duty; other necessary contingent and
3 miscellaneous items authorized by the Public Printer; for
4 expenses authorized in writing by the Joint Committee on
5 Printing for the inspection of printing and binding equipment,
6 material, and supplies and Government printing plants in the
7 District of Columbia or elsewhere (not exceeding \$1,000) ;
8 for salaries and expenses of preparing the semimonthly and
9 session indexes of the Congressional Record under the direc-
10 tion of the Joint Committee on Printing (chief indexer at
11 \$3,480, one cataloger at \$3,180, two catalogers at \$2,460
12 each, and one cataloger at \$2,100) ; and for all the necessary
13 labor, paper, materials, and equipment needed in the prosecu-
14 tion and delivery and mailing of the work ; in all, \$7,225,000 ;
15 to which sum shall be charged the printing and binding au-
16 thorized to be done for Congress including supplemental and
17 deficiency estimates of appropriations; the printing, binding,
18 and distribution of the Federal Register in accordance with
19 the Act approved July 26, 1935 (44 U. S. C. 301-317)
20 (not exceeding \$400,000) ; for the printing and binding of
21 a cumulative supplement to the Code of Federal Regula-
22 tions as authorized by the Act approved December 10,
23 1942 (Public Law 796, Seventy-seventh Congress, not
24 exceeding \$165,000; the printing and binding for use of
25 the Government Printing Office; the printing and binding

1 (not exceeding \$3,000) for official use of the Architect
2 of the Capitol upon requisition of the Secretary of the
3 Senate; in all to an amount not exceeding \$4,225,000: *Pro-*
4 *vided*, That not less than \$3,000,000 of such working capital
5 shall be returned to the Treasury as an unexpended balance
6 not later than six months after the close of the fiscal year
7 1944: *Provided further*, That notwithstanding the provisions
8 of section 73 of the Act of January 12, 1895 (44 U. S. C.
9 241), no part of the foregoing sum of \$4,225,000 shall be
10 used for printing and binding part 2 of the annual report of
11 the Secretary of Agriculture (known as the Yearbook of
12 Agriculture).

13 Printing and binding for Congress chargeable to the
14 foregoing appropriation, when recommended to be done by
15 the Committee on Printing of either House, shall be so recom-
16 mended in a report containing an approximate estimate of
17 the cost thereof, together with a statement from the Public
18 Printer of estimated approximate cost of work previously
19 ordered by Congress within the fiscal year for which this
20 appropriation is made.

21 During the fiscal year 1944 any executive depart-
22 ment or independent establishment of the Government
23 ordering printing and binding from the Government Printing
24 Office shall pay promptly by check to the Public Printer upon
25 his written request, either in advance or upon completion of

1 the work, all or part of the estimated or actual cost thereof,
2 as the case may be, and bills rendered by the Public Printer
3 in accordance herewith shall not be subject to audit or cer-
4 tification in advance of payment: *Provided*, That proper ad-
5 justments on the basis of the actual cost of delivered work
6 paid for in advance shall be made monthly or quarterly and
7 as may be agreed upon by the Public Printer and the depart-
8 ment or establishment concerned. All sums paid to the
9 Public Printer for work that he is authorized by law to do
10 shall be deposited to the credit, on the books of the Treasury
11 Department, of the appropriation made for the working cap-
12 ital of the Government Printing Office for the year in which
13 the work is done, and be subject to requisition by the Public
14 Printer.

15 No part of any money appropriated in this Act shall be
16 paid to any person employed in the Government Printing
17 Office while detailed for or performing service in the execu-
18 tive branch of the public service of the United States unless
19 such detail be authorized by law.

20 OFFICE OF SUPERINTENDENT OF DOCUMENTS

21 Salaries: For the Superintendent of Documents, assistant
22 superintendent, and other personal services in accordance
23 with the Classification Act of 1923, as amended, and com-
24 pensation of employees paid by the hour who shall be subject
25 to the provisions of the Act entitled "An Act to regulate

1 and fix rates of pay for employees and officers of the Govern-
2 ment Printing Office", approved June 7, 1924 (44 U. S. C.
3 40), \$852,500.

4 General expenses: For furniture and fixtures, type-
5 writers, carpets, labor-saving machines and accessories, time
6 stamps, adding and numbering machines, awnings, cur-
7 tains, books of reference; directories, books, miscellaneous
8 office and desk supplies, paper, twine, glue, envelopes,
9 postage, carfares, soap, towels, disinfectants, and ice; dray-
10 age, express, freight, telephone, and telegraph service;
11 traveling expenses (not to exceed \$200); repairs to build-
12 ings, elevators, and machinery; rental of equipment; pre-
13 serving sanitary condition of building; light, heat, and
14 power; stationery and office printing, including blanks,
15 price lists, bibliographies, catalogs, and indexes; for sup-
16 plying books to depository libraries; in all, \$345,000: *Pro-*
17 *vided*, That no part of this sum shall be used to supply to
18 depository libraries any documents, books, or other printed
19 matter not requested by such libraries, and the requests
-20 therefor shall be subject to approval by the Superintendent
21 of Documents: *Provided further*, That the Superintendent of
22 Documents shall furnish, from the quota that was printed for
23 sale, one complete set of Definitive Writings of George Wash-
24 ington to each Senator, Representative, Delegate, and

1 Resident Commissioner, serving during the Seventy-eighth
2 Congress, who makes written application therefor.

3 Purchases may be made from the foregoing appropriation
4 under the "Government Printing Office", as provided for in
5 the Printing Act approved January 12, 1895, and without
6 reference to section 4 of the Act approved June 17, 1910
7 (41 U. S. C. 7), concerning purchases for executive depart-
8 ments.

9 SEC. 102. In order to keep the expenditures for
10 printing and binding for the fiscal year 1944 within
11 or under the appropriations for such fiscal year, the heads
12 of the various executive departments and independent estab-
13 lishments are authorized to discontinue the printing of annual
14 or special reports under their respective jurisdictions: *Pro-*
15 *vided*, That where the printing of such reports is discontinued
16 the original copy thereof shall be kept on file in the offices of
17 the heads of the respective departments or independent estab-
18 lishments for public inspection.

19 SEC. 103. No part of the funds appropriated in this
20 title shall be used for the maintenance or care of private
21 vehicles.

22 SEC. 104. Whenever any office or position not spe-
23 cifically established by the Legislative Pay Act of 1929 is
24 specifically appropriated for in this title or whenever the

1 rate of compensation or designation of any position specifi-
2 cally appropriated for in this title is different from that
3 specifically established for such position by such Act, the
4 rate of compensation and the designation of the position, or
5 either, specifically appropriated for in this title, shall be the
6 permanent law with respect thereto; and the authority for
7 any position specifically established by such Act which is
8 not specifically appropriated for in this title shall cease to
9 exist.

10 SEC. 105. This title may be cited as the "Legislative
11 Branch Appropriation Act, 1944".

12 TITLE II—THE JUDICIARY

13 UNITED STATES SUPREME COURT

14 Salaries: For the Chief Justice and eight Associate Jus-
15 tices; Reporter of the Court; and all other officers and em-
16 ployees, whose compensation shall be fixed by the Court,
17 except as otherwise provided by law, and who may be
18 employed and assigned by the Chief Justice to any office or
19 work of the Court, \$484,200.

20 Preparation of rules for criminal proceedings: For all
21 expenses of the Supreme Court of the United States to pro-
22 vide for expenses of such advisory committee as may be
23 appointed by the Court to assist it in the preparation of
24 rules of pleading, practice, and procedure with respect to
25 criminal cases, pursuant to the Act entitled "An Act to give

1 the Supreme Court of the United States authority to pre-
2 scribe rules of pleading, practice, and procedure with respect
3 to proceedings in criminal cases prior to and including
4 verdict, or finding or plea of guilty", approved June 29,
5 1940 (54 Stat. 688), including personal services in the
6 District of Columbia and elsewhere and printing and binding,
7 to be expended as the Chief Justice in his discretion may
8 direct, including such per diem allowances in lieu of actual
9 expenses for subsistence at rates to be fixed by him not to
10 exceed \$10 per day, \$30,000, of which amount not to
11 exceed \$14,950 shall be immediately available.

12 The unexpended balance of the appropriation "Prepara-
13 tion of Rules for Civil Procedure, fiscal years 1942 and
14 1943", carried in the Sixth Supplemental National Defense
15 Appropriation Act, 1942, is hereby reappropriated and made
16 available for the fiscal year 1944.

17 Printing and binding: For printing and binding for the
18 Supreme Court of the United States, \$26,000, to be expended
19 as required without allotment by quarters, and to be executed
20 by such printer as the Court may designate.

21 Miscellaneous expenses: For miscellaneous expenses of
22 the Supreme Court of the United States, to be expended as
23 the Chief Justice may approve, \$27,000.

24 Structural and mechanical care of the building and
25 grounds: For such expenditures as may be necessary to

1 enable the Architect of the Capitol to carry out the duties
2 imposed upon him by the Act approved May 7, 1934 (40
3 U. S. C. 13a-13d), including improvements, maintenance,
4 repairs, equipment, supplies, materials, and appurtenances,
5 special clothing for workmen; purchase of waterproof wear-
6 ing apparel; and personal and other services, including tempo-
7 rary labor without reference to the Classification and Retire-
8 ment Acts, as amended, and for snow removal by hire of
9 men and equipment or under contract without compliance
10 with sections 3709 and 3744 of the Revised Statutes (41
11 U. S. C. 5, 16), \$68,000.

12 UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

13 Sixty per centum of the expenditures for the District
14 Court of the United States for the District of Columbia from
15 all appropriations under this title and 30 per centum of the
16 expenditures for the United States Court of Appeals for the
17 District of Columbia from all appropriations under this title
18 shall be reimbursed to the United States from any funds in
19 the Treasury to the credit of the District of Columbia.

20 Repairs and improvements, District Court of the United
21 States for the District of Columbia: For repairs and im-
22 provements to the courthouse, including repair and main-
23 tenance of the mechanical equipment, and for labor and
24 material and every item incident thereto, \$11,300, to be
25 expended under the direction of the Architect of the Capitol.

1 Repairs and improvements, United States Court of
 2 Appeals for the District of Columbia: For repairs and im-
 3 provements to the United States Court of Appeals Building,
 4 including repair and maintenance of the mechanical equip-
 5 ment, and for labor and material and every item incident
 6 thereto, \$2,500, to be expended under the direction of the
 7 Architect of the Capitol.

8 COURT OF CUSTOMS AND PATENT APPEALS

9 Salaries: Presiding judge and four associate judges and
 10 all other officers and employees of the court, \$107,060.

11 Contingent expenses: For books and periodicals, includ-
 12 ing their exchange; stationery, supplies, traveling expenses;
 13 drugs, chemicals, cleansers, furniture; and for such other
 14 miscellaneous expenses as may be approved by the presiding
 15 judge, \$3,000.

16 Printing and binding: For printing and binding,
 17 \$6,700.

18 UNITED STATES CUSTOMS COURT

19 Salaries: Presiding judge and eight judges; and all
 20 other officers and employees of the court, \$236,500.

21 Contingent expenses: For books and periodicals, includ-
 22 ing their exchange; stationery, supplies, traveling expenses;
 23 and for such other miscellaneous expenses as may be ap-
 24 proved by the presiding judge, \$13,500.

1 Printing and binding: For printing and binding,
2 \$1,000.

3 COURT OF CLAIMS

4 Salaries: Chief justice and four judges, seven regular
5 commissioners, and all other officers and employees of the
6 court, \$208,000, including the compensation of stenogra-
7 phers authorized by the court, and for stenographic and other
8 fees and charges necessary in the taking of testimony and
9 in the performance of the duties as authorized by the Act
10 entitled "An Act amending section 2 and repealing section
11 3 of the Act approved February 24, 1925 (28 U. S. C. 269,
12 270), entitled 'An Act to authorize the appointment of com-
13 missioners by the Court of Claims and to prescribe their
14 powers and compensation', and for other purposes", approved
15 June 23, 1930.

16 Contingent expenses: For stationery, court library,
17 repairs, fuel, electric light, traveling expenses, and other
18 miscellaneous expenses, \$18,000.

19 Printing and binding: For printing and binding,
20 \$26,500.

21 Repairs and improvements: For necessary repairs and
22 improvements to the Court of Claims buildings, to be ex-
23 pended under the supervision of the Architect of the Capitol,
24 \$2,550.

TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, \$103,500.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone) ; and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$3,222,500: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, \$2,542,900: *Provided*, That the positions of deputy clerk of the United States district court at Springfield, Massachusetts; Cumberland, Maryland; Statesville, North Carolina; Big Stone Gap, Virginia; Charlottesville, Virginia; Key West, Florida; Victoria, Texas; Del Rio, Texas; LaCrosse,

1 Wisconsin; Batesville, Arkansas; Harrison, Arkansas; Cres-
2 ton, Iowa; Ottumwa, Iowa; Chadron, Nebraska; Grand
3 Island, Nebraska; Hastings, Nebraska; McCook, Nebraska;
4 Norfolk, Nebraska; Minot, North Dakota; Grand Forks,
5 North Dakota; Jamestown, North Dakota; Moscow, Idaho;
6 Bellingham, Washington; and Pueblo, Colorado, are hereby
7 abolished and such provisions of law as require offices of clerks
8 of courts to be maintained at such places are hereby repealed
9 but this proviso shall not be so construed as to prevent the
10 detail during sessions of court of such employees as may be
11 necessary from other offices to the offices named herein.

12 The provisions of law requiring offices of clerks of courts
13 to be maintained at Anniston, Alabama; Florence, Alabama;
14 Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colo-
15 rado; Montrose, Colorado; Durango, Colorado; Sterling,
16 Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kan-
17 sas; Chillicothe, Missouri; Roswell, New Mexico; Bryson
18 City, North Carolina; Shelby, North Carolina; Ardmore, Ok-
19 lahoma; Guthrie, Oklahoma; Aberdeen, South Dakota;
20 Pierre, South Dakota; Deadwood, South Dakota; Ogden,
21 Utah; Casper, Wyoming; Evanston, Wyoming; and Lander,
22 Wyoming; are hereby repealed but this paragraph shall not
23 be so construed as to prevent the detail during sessions of
24 court of such employees as may be necessary from other
25 offices to the offices named herein.

1 Probation system, United States courts: For salaries
2 of probation officers and their clerical assistants, as authorized
3 by the Act entitled "An Act to amend the Act of March 4,
4 1925, chapter 521, and for other purposes", approved June
5 6, 1930 (18 U. S. C. 726), \$956,800: *Provided*, That the
6 salary of no probation officer shall be less than \$1,800 per
7 annum nor more than \$3,600 per annum: *Provided further*,
8 That nothing herein contained shall be construed to abridge
9 the right of the district judges to appoint probation officers, or
10 to make such orders as may be necessary to govern proba-
11 tion officers in their own courts: *Provided further*, That no
12 part of this appropriation shall be used to pay the salary or
13 expenses of any probation officer who, in the judgment of
14 the senior or presiding judge certified to the Attorney Gen-
15 eral, fails to carry out the official orders of the Attorney
16 General with respect to supervising or furnishing informa-
17 tion concerning any prisoner released conditionally or on
18 parole from any Federal penal or correctional institution.

19 Fees of commissioners: For fees of the United States
20 commissioners and other committing magistrates acting un-
21 der section 1014, Revised Statutes (18 U. S. C. 591), in-
22 cluding fees and expenses of conciliation commissioners,
23 United States courts, including the objects and subject to the
24 conditions specified for such fees and expenses of conciliation

1 commissioners in the Department of Justice Appropriation
2 Act, 1937, \$350,000.

3 Fees of jurors: For mileage and per diems of jurors;
4 meals and lodging for jurors in United States cases when
5 ordered by the court, and meals and lodging for jurors in
6 Alaska, as provided by section 193, title II, of the Act of
7 June 6, 1900 (31 Stat. 362), and compensation for jury
8 commissioners, \$5 per day, not exceeding three days for any
9 one term of court, \$1,680,000: *Provided*, That the compen-
10 sation of jury commissioners for the District of Columbia shall
11 conform to the provisions of title 18, chapter 10, section 341,
12 of the Code of the District of Columbia, but such compensation
13 shall not exceed \$250 each per annum.

14 Miscellaneous salaries: For salaries of all officials and
15 employees of the Federal judiciary, not otherwise specifically
16 provided for, \$987,100: *Provided*, That the compensation
17 of secretaries and law clerks of district judges shall be fixed
18 by the Director of the Administrative Office of the United
19 States Courts without regard to the Classification Act of
20 1923, as amended, except that the salaries of secretaries,
21 exclusive of the differential allowed for higher living costs in
22 the Panama Canal Zone, shall not exceed that of the senior
23 clerical grade and the salaries of law clerks shall not exceed
24 that of the principal subprofessional grade: *Provided further*,
25 That none of this fund shall be used for the pay of a law

1 clerk appointed by a district judge unless the senior circuit
2 judge of the circuit (the District of Columbia being considered
3 a circuit) in which the district where the clerk is needed is
4 situated shall certify to the necessity of the appointment.

5 Miscellaneous expenses (other than salaries) : For such
6 miscellaneous expenses as may be authorized or approved by
7 the Director of the Administrative Office of the United States
8 Courts, for the United States courts and their officers, includ-
9 ing rent of rooms for United States courts and judicial officers;
10 supplies and equipment, including the exchange of type-
11 writing and adding machines, for the United States courts
12 and judicial officers, including firearms and ammunition
13 therefor; stenographic reporting services without regard to
14 section 3709, Revised Statutes, provided that the rates of
15 payment shall not exceed those fixed by the district court
16 pursuant to Rule 80 (b) Federal Rules of Civil Procedure,
17 in the jurisdiction of which the services are rendered; pur-
18 chase of lawbooks, including the exchange thereof, for United
19 States judges, and other judicial officers, including the libra-
20 ries of the United States circuit courts of appeals, and the
21 Federal Reporter and continuations thereto as issued,
22 \$390,000: *Provided*, That such books shall in all cases be
23 transmitted to their successors in office; all books purchased
24 hereunder to be marked plainly, "The Property of the
25 United States": *Provided further*, That not to exceed \$2

1 per volume shall be paid for the current and future volumes
2 of the United States Code, Annotated, and that the reports
3 of the United States Court of Appeals for the District of
4 Columbia shall not be sold for a price exceeding that approved
5 by the court and for not more than \$6.50 per volume.

6 Traveling expenses: For all necessary traveling expenses,
7 not otherwise provided for, incurred by the Judiciary, includ-
8 ing traveling expenses of probation officers and their clerks,
9 and transfer of household goods and effects as provided by
10 the Act of October 10, 1940, \$540,000: *Provided*, That
11 this sum shall be available, in an amount not to exceed
12 \$4,000, for expenses of attendance at meetings concerned
13 with the work of Federal probation when incurred on the
14 written authorization of the Director of the Administrative
15 Office of the United States Courts: *Provided further*, That
16 United States probation officers may be allowed, in lieu of
17 actual expenses of transportation, not to exceed 4 cents per
18 mile for the use of their own automobiles for transportation
19 when traveling on official business within the city limits of
20 their official station.

21 Printing and binding: For printing and binding for the
22 Administrative Office and Courts of the United States,
23 \$89,000.

24 ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

25 Salaries: For the Director of the Administrative Office

1 of the United States Courts, the Assistant Director, and for
2 other personal services in the District of Columbia and else-
3 where, as may be necessary to enable the Director to carry
4 into effect the provisions of the Act entitled "An Act to
5 provide for the administration of the United States courts,
6 and for other purposes", approved August 7, 1939 (53
7 Stat. 1223), \$243,800: *Provided*, That in expending ap-
8 propriations or portions of appropriations contained in this
9 Act for the payment of personal services in the District of
10 Columbia, the Director shall fix compensation according to
11 the Classification Act of 1923, as amended.

12 Miscellaneous expenses: For stationery, supplies, ma-
13 terials and equipment, freight, express, and drayage charges,
14 washing towels, advertising, purchase of lawbooks and books
15 of reference, periodicals and newspapers, communication
16 service and postage; for the maintenance, repair, and oper-
17 ation of one motor-propelled delivery truck; for rent in the
18 District of Columbia, and elsewhere; for official traveling
19 expenses and other miscellaneous expenses not otherwise
20 provided for, necessary to effectively carry out the provisions
21 of the Act providing for the administration of the United
22 States Courts, and for other purposes, \$24,000: *Provided*,
23 That section 3709 of the Revised Statutes (41 U. S. C. 5)
24 shall not be construed to apply to any purchase or service
25 for the Administrative Office of the United States Courts

1 when the aggregate amount involved does not exceed the
2 sum of \$50.

3 SEC. 202. As used in this title, the term "circuit
4 court of appeals" includes the United States Court of Appeals
5 for the District of Columbia; the term "senior circuit judge"
6 includes the Chief Justice of the United States Court of
7 Appeals for the District of Columbia; the term "circuit judge"
8 includes associate justice of the United States Court of
9 Appeals for the District of Columbia; and the term "judge"
10 includes justice.

11 SEC. 203. No part of any appropriation contained in
12 this Title shall be used to pay in excess of \$2 per volume for
13 the current and future volumes of the United States Code
14 Annotated or in excess of \$3.25 per volume for the current
15 or future volumes of the Lifetime Federal Digest.

16 SEC. 204. This title may be cited as "The Judiciary
17 Appropriation Act, 1944".

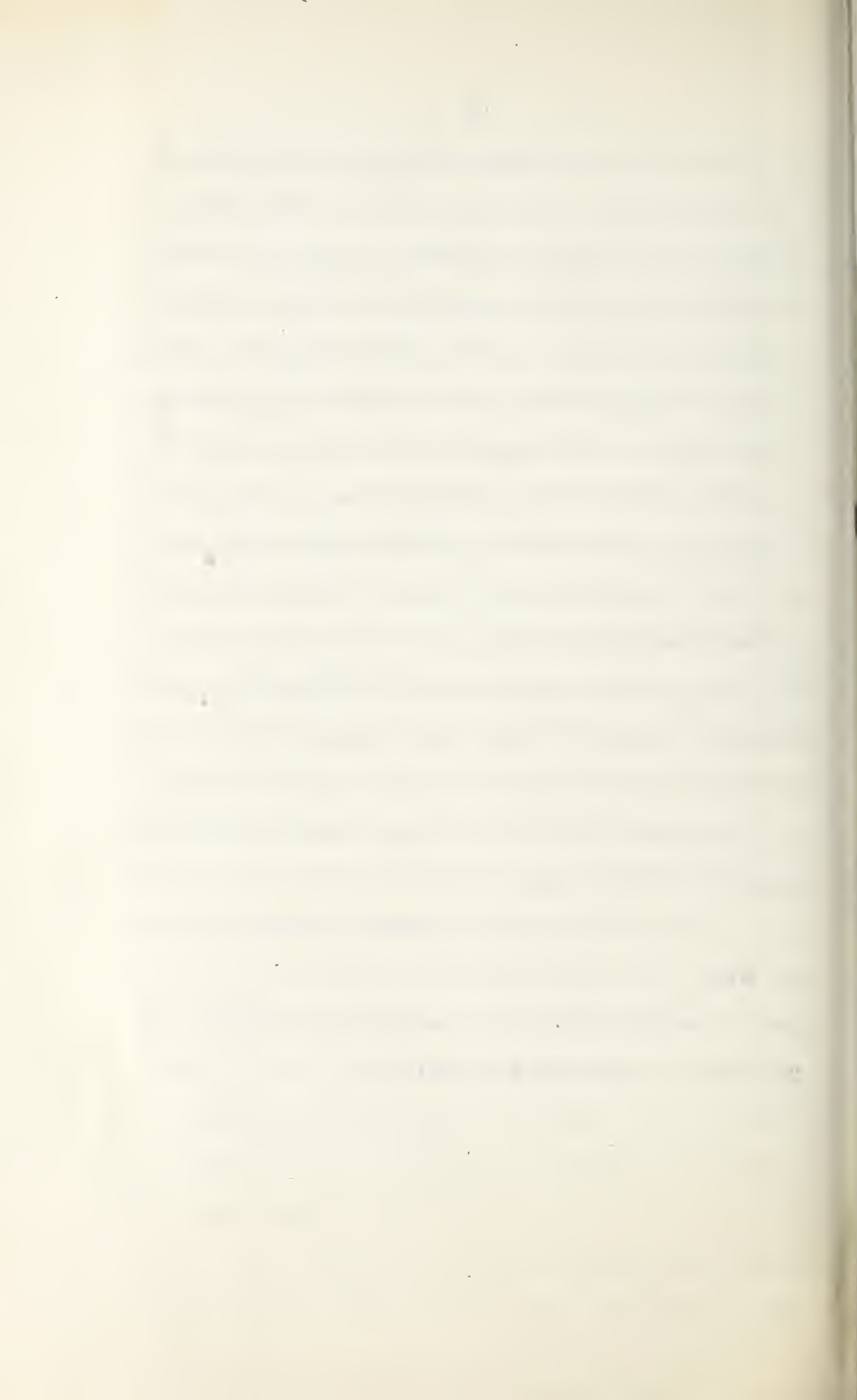
18 TITLE III—GENERAL PROVISIONS

19 SEC. 301. No part of any appropriation contained
20 in this Act shall be paid to any person for the filling
21 of any position for which he or she has been nominated
22 after the Senate has voted not to approve of the nomination
23 of said person.

24 SEC. 302. No part of any appropriation contained
25 in this Act shall be used to pay the salary or wages

1 of any person who advocates, or who is a member of an
2 organization that advocates, the overthrow of the Govern-
3 ment of the United States by force or violence: *Provided,*
4 That for the purposes hereof an affidavit shall be considered
5 prima facie evidence that the person making the affidavit
6 does not advocate, and is not a member of an organization
7 that advocates, the overthrow of the Government of the
8 United States by force or violence: *Provided further,* That
9 any person who advocates, or who is a member of an organ-
10 ization that advocates, the overthrow of the Government of
11 the United States by force or violence and accepts employ-
12 ment, the salary or wages for which are paid from this appro-
13 priation contained in this Act, shall be guilty of a felony and,
14 upon conviction, shall be fined not more than \$1,000 or
15 imprisoned for not more than one year, or both: *Provided*
16 *further,* That the above penalty clause shall be in addition
17 to, and not in substitution for, any other provisions of existing
18 law.

19 SEC. 303. This Act may be cited as the "Legislative and
20 Judiciary Appropriation Act, 1944".



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78TH CONGRESS
1ST SESSION

H. R. 2409

[Report No. 346]

A BILL

Making appropriations for the Legislative
Branch and for the Judiciary for the fiscal
year ending June 30, 1944, and for other
purposes.

By Mr. O'NEAL

APRIL 6, 1943

Committed to the Committee of the Whole House on
the state of the Union and ordered to be printed

LEGISLATIVE AND JUDICIARY APPROPRIATION BILL, 1944

APRIL 6, 1943.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. O'NEAL, from the Committee on Appropriations, submitted the following

REPORT

[To accompany H. R. 2409]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the legislative branch and for the judiciary for the fiscal year 1944:

SCOPE OF THE BILL

Title I of the bill embraces regular annual appropriations for the Senate and House of Representatives and those joint services and activities which have heretofore, by law or custom, been considered as a part of the legislative establishment.

The activities of the Government for which appropriations are made in title I are as follows:

- (1) The Senate.
- (2) The House of Representatives.
- (3) The Capitol Police.
- (4) The Joint Committee on Printing.
- (5) The Joint Committee on Internal Revenue Taxation.
- (6) The Offices of Legislative Counsel.
- (7) The Architect of the Capitol.
- (8) The Botanic Garden.
- (9) The Library of Congress.
- (10) The Government Printing Office.

Title II provides appropriations for the various Federal courts and title III carries general provisions applicable to all appropriations in the bill.

APPROPRIATIONS AND ESTIMATES

The Budget estimates upon which this bill is based were transmitted in the Budget for the fiscal year 1944 and will be found on pages 3 to 33, inclusive, amounting to \$41,050,157. This sum has been augmented by supplemental estimates transmitted in House Documents Nos. 114, 115, 119, 125, 130, 131, and 136, aggregating \$731,193, and by transfer of \$23,000 from estimates for the National Park Service to the judiciary, bringing the total estimates considered to \$41,804,350. The duty of the President in transmitting the estimates of the legislative branch and the United States Supreme Court is purely a ministerial function. Under the Budget and Accounting Act, 1921, these estimates of appropriations are required to be included in the Budget without revision. The estimates of the judiciary (except the U. S. Supreme Court) are required by law to be transmitted to the Congress without change except that the Bureau of the Budget may, in connection therewith, include recommendations as to revisions. No such recommendation accompanied the estimates for 1944.

A detailed tabulation will be found at the end of this report, showing for each appropriation item in the bill the amount appropriated for the fiscal year 1943, the Budget estimate for the fiscal year 1944, and the amount recommended in the bill for 1944.

The total of the 1944 Budget estimates is \$41,804,350.

The total of the 1943 appropriations is \$43,826,092.

The amount recommended in the bill is \$40,659,273.

The total of the bill is—

\$3,166,819 less than the 1943 appropriations.

\$1,145,077 less than the Budget estimates.

The bill as presented is reduced to a pure maintenance-and-operation basis. All items of new construction or improvement have been eliminated except such as relate to operation of the power plant or to the protection of existing structures from deterioration.

Requests for additional personnel have been denied except in those cases where an urgent and immediate need was demonstrated. In many instances heavy pay roll turn-over has resulted in unexpended balances of appropriations and wherever the situation appeared to warrant, reductions have been made below 1943 figures. If it is possible to maintain the necessary services with the reduced number of man-years of labor available in 1943, it should be possible to continue on the same basis in 1944 and the responsible officials in charge should be prepared to make a showing as to actual needs before requesting appropriations for the restoration of such personnel to the rolls.

Summary of the bill

	1943 appropriations	Budget estimates for 1944	Amount recommended in bill for 1944	Increase (+) or decrease (-), bill compared with 1943 appropriations	Increase (+) or decrease (-), bill compared with estimates
TITLE I—LEGISLATIVE					
Senate.....	\$4,225,394	\$3,985,528	\$3,985,528	—\$239,866	-----
House of Representatives.....	9,505,103	9,638,855	9,527,595	+22,492	—\$111,260
Capitol Police.....	165,080	165,080	163,340	—1,740	—1,740
Joint Committee on Printing.....	11,860	11,860	11,860		
Legislative counsel.....	82,550	82,000	83,000	+450	+1,000
Miscellaneous.....	14,000	4,000	4,000	—10,000	
Architect of the Capitol.....	2,153,879	2,196,225	2,070,680	—83,199	—125,545
Botanic Garden.....	106,557	107,918	103,000	—3,557	—4,918
Library of Congress.....	3,730,385	4,097,399	3,886,360	+155,975	—211,039
Government Printing Office.....	11,327,510	8,447,510	8,422,500	—2,905,010	—25,010
Total, title I.....	31,322,318	28,736,375	28,257,863	—3,064,455	—478,512
TITLE II—JUDICIARY					
Supreme Court.....	595,100	636,520	635,200	+40,100	—1,320
Miscellaneous courts.....	802,100	747,828	740,110	—61,990	—7,718
District courts and courts of appeals.....	10,825,074	11,392,090	10,758,300	—66,774	—633,790
United States Court Administration.....	281,500	291,537	267,800	—13,700	—23,737
Total, title II.....	12,503,774	13,067,975	12,401,410	—102,364	—666,565
Grand total, titles I and II.....	43,826,092	41,804,350	40,659,273	—3,166,819	—1,145,077

TITLE I—LEGISLATIVE BRANCH

The total of the title is \$28,257,863. Not all of this amount represents appropriations on account of the Congress. The sum includes \$3,000,000 of working capital for the Government Printing Office to enable that institution to finance printing in advance for all Federal agencies and is returnable to the Treasury intact within 6 months after the close of the fiscal year. With the exception of the Legislative Reference Service of the Library of Congress, all of the appropriations for maintenance of that important institution are devoted to what is now a "National Library" even though it started as an arm of Congress and continues in that juxtaposition. The appropriations which are not purely and wholly items for Congress and which are deductible in arriving at the total for Congress are as follows:

Total amount appropriated by the bill..... \$28,257,863

Deductible items:

Library of Congress (exclusive of amount for Legislative Reference Service)..... 3,738,060

Government Printing Office:

Printing and binding the Federal Register..... 565,000

Working capital to finance Federal agency printing..... 3,000,000

Office of Superintendent of Documents..... 1,197,500

Total..... **8,500,060**

Net appropriations chargeable to Congress..... **19,757,803**

The total of \$19,757,803 includes all salaries of Senators and Representatives, their secretaries and clerks, other employees of both Houses, the maintenance, repair, and operation of the Capitol Buildings, including the power plant (supplying light, heat, and power), the policing of the buildings and grounds, and the maintenance of the

grounds and the roadways therein. The foregoing sum does not include the amount for the handling and transportation of franked mail by Members of Congress which is paid from postal appropriations. The amount assigned in the fiscal year 1942 for the cost of franked mail is \$974,572. Using this figure as a guide for fiscal year 1944, the total appropriations for the Congress on the basis of the accompanying bill, and allowing for some small deficiency items which may arise, would not exceed \$20,800,000. The relationship of this sum to total estimated nondefense expenditures for the entire Government in the next fiscal year is approximately four-tenths of 1 percent.

UNITED STATES SENATE

The amount recommended for the Senate is \$3,985,528, which is the amount of the Budget estimates and \$239,866 less than the 1943 appropriations. All items under the Senate are appropriated in the amount of the current appropriation or the Budget estimate, whichever is the lower figure, leaving any estimated increases for 1944 for determination by that body in accordance with the custom of comity which has heretofore prevailed between the two Houses.

HOUSE OF REPRESENTATIVES

The total appropriations recommended for the House of Representatives, \$9,527,595, represent an increase of \$22,492, as compared with 1943 appropriations totaling \$9,505,103, and of \$111,260, as compared with the Budget estimates, \$9,638,855, for 1944. No extensive revision of any House item is presented and only such changes in positions and salaries as have heretofore been approved by resolution of the House are provided for. Major deviations from 1943 appropriations and the estimates are explained below.

Expenses of special and select committees.—The amount carried, \$400,000, is the same as the Budget estimate and the appropriations for 1943. The House has authorized, since the convening of the current session, a total in excess of \$550,000, and, while some of the committees will spend less than the amount authorized, there is also a likelihood that additional investigations, which will increase the total expenditures, will be ordered. The amount of \$400,000 probably will not be sufficient but is all that should be appropriated until experience indicates the final amount which will be required for the fiscal year.

Joint Committee on Internal Revenue Taxation.—The amount carried, \$35,500, is an increase of \$5,500 above the Budget estimate and above the amount appropriated for 1943. One-half of the salaries and expenses of this committee is appropriated in the items for the House of Representatives and disbursed by the Clerk of the House while the other half is appropriated under the Senate and disbursed by the Secretary of the Senate. This staff has been burdened with much additional work in connection with recent tax legislation and the joint committee has directed employment of certain additional personnel to provide necessary technical information in connection with its work. This accounts for the increase in the appropriation for the House share. The Senate's half has been left for action by that body. The work of this organization is of first importance, as, without it, the Congress would be dependent entirely upon agencies in the executive branch and private sources for technical tax information. A staff competent to cope with the problems presented is well worth the cost.

Revision of laws.—The regular annual estimate, \$8,000, for preparation of the annual supplement to the United States Code is allowed. However, there was presented to the committee a supplemental estimate of \$110,000 for preparing a revision and codification of all general and permanent laws relating to the judiciary, crimes, and criminal procedure. The need for such a codification is recognized, but it does not appear that the appropriation for the purpose is authorized by law. In the judgment of the committee the matter should have enabling legislation before such an extensive project is undertaken. The proposed estimate if allowed would have been disbursed, in large part, in payment of contracts to be negotiated with private lawbook editors and publishers. Inasmuch as these concerns would benefit directly through issuance of private publications based on such a codification, any contract between them and the Government for the work of codification should have very careful scrutiny and should take into account the possible profit to the publishing houses.

Furniture.—The amount recommended, \$40,000, is a reduction of \$5,000 under the Budget estimates and under the appropriations for 1943, respectively. This decrease is made possible by the inability of the purchasing officer to secure new rugs during the war period. The amount will provide only such replacements, additional equipment, and repairs, as will be absolutely necessary.

Packing boxes.—The Budget estimates included \$3,500, the same as the appropriation for 1943, for the purchase of packing boxes for use by Members in shipping official files and papers. These boxes require critical metals which should not be used for this purpose during the war period, and the committee has therefore eliminated the item. After distributing, from the stock on hand, one box to each Member of the Seventy-eighth Congress, a small number will remain and these should be reserved in order to supply one box each to new Members hereafter elected, who had not previously received one, so long as the supply lasts.

CAPITOL POLICE

The amount carried, \$163,340, is a reduction of \$1,740 below the Budget estimates and the amount appropriated for 1943. This reduction represents the salary of one special officer, which position has been abolished and replaced by a special assistant to the Sergeant at Arms of the House and carried on the Sergeant at Arms' pay roll.

In order properly to protect the Capitol Building during the war period it was found necessary to augment the regular Capitol Police force with additional officers, and an appropriation has been made for each of the fiscal years 1941, 1942, and 1943 for the payment of salaries and of other expenses of personnel to be detailed from Federal agencies and the District of Columbia. Under the authority of this appropriation the Capitol Police Board has requested and received the detail of 1 lieutenant, 1 sergeant, 2 detective sergeants, and 16 privates of the Metropolitan Police for service in the Capitol Building.

There has been some misunderstanding as to the status in the Metropolitan Police of the men so detailed. They are carried on the rolls of the Metropolitan Police Department as active members of such police and are so paid. The appropriation paragraph does not authorize the payment of salaries directly to the officers but only authorizes reimbursement of the appropriations for the Metropolitan

Police of the amount of salaries and expenses for men on the detail. However, the view has been expressed in the Police Department that, upon termination of the detail, the returning officers would not have positions in the Metropolitan Police except to such extent as then existing vacancies would permit. This is an erroneous view. These men during the period of such detail are still members of the Metropolitan Police. They can be recalled and replaced at any time by the major and superintendent. They are loaned to Congress and their cost reimbursed so the District may temporarily replace them for the duration. The men sent to the Capitol were very carefully selected, are seasoned officers, and were chosen because of their splendid records and years of experience. Such men should not be penalized by having their careers placed in jeopardy on account of being selected for a very important wartime work. In order that there may be no question as to their status in the Metropolitan Police upon termination of their detail to the Capitol, the committee has included a provision requiring that they shall have the same status with respect to rank, pay, allowances, privileges, and benefits during the detail and at the termination thereof as though such detail had never been made.

ARCHITECT OF THE CAPITOL

Capitol buildings and repair.—The amount provided, \$289,200, is a reduction of \$46,794 below the Budget estimate, \$335,994, and a decrease of \$700 below the appropriations, \$289,900 for 1943. The reduction is effected by elimination of \$5,000 for plumbing renewals, \$5,000 in the cost of inside painting and the cost of painting the dome of the Capitol building. The plumbing renewals will be deferred until after the war period when materials will be available. The reduction of the amount for inside painting, one-half of the amount proposed, will leave available \$5,000 which will be sufficient to do all work necessary to be done during 1944. For a number of years it has been the practice to paint the dome and the center portion of the Capitol building quadrennially. On this basis the work should be done during the summer of 1943, but the committee feels that the project should not be undertaken while the present scarcity of materials and labor obtains. The Architect advises that no damage to the structure will result from deferment of the project.

Capitol Grounds.—The amount allowed, \$103,200, is a reduction of \$7,666 under the Budget estimate, \$110,866, and \$44,366 under the appropriation, \$147,566, for 1943. On account of the elimination of a nonrecurring item, the estimate presents an actual increase of \$2,540, all of which is included in the allocation for personal services and is related to within-grade promotions automatic under the law and changes in salary ranges pursuant to legislation. Due to a large turn-over figure, the allocation for personal services for 1943 will carry an unexpended balance at the end of the year of approximately \$11,000, and on this account the same personnel can be provided for 1944 as is carried for 1943 including the absorption of the amounts necessary for promotions and changes in salary ranges with an allocation of \$80,000 for personal services instead of \$87,600 as proposed in the Budget estimate.

Subway maintenance.—The amount, \$1,500, is a reduction of \$500 below the estimate and below the appropriation for 1943. The

Architect advises that the lesser amount will be sufficient to provide all requirements.

Senate Office Building.—The amount recommended, \$313,560, is the total amount appropriated for 1943. The estimates included a small increase for 1944 but the committee has given no consideration to the proposed increase and has left it for initial action by the Senate.

House Office Building.—The amount approved, \$390,200, is a reduction of \$27,805 below the estimate, \$418,005, and \$1,560 below the appropriation for 1943. Due to the large personnel turn-over it will be possible to absorb \$10,000 of the proposed reduction in the personal services allocation. With Congress remaining in session throughout the entire year, it will not be possible to do the usual amount of interior painting and, therefore, the amount provided for such work, \$15,000, is just half the amount heretofore provided. The allocation for general annual repairs has also been reduced \$2,000 for the same reason. For maintenance and repair of air-conditioning equipment, \$4,500 was requested but at the present rate of expenditure approximately \$3,000 will take care of all normal requirements. A reduction of \$500 has been made in this allocation and the \$4,000 provided will supply all normal needs and provide an additional \$1,000 to meet any emergency that may arise. The special-equipment allocation is reduced \$250, leaving an allotment of \$500 which will purchase all equipment needed.

Capitol power plant.—The amount allowed, \$765,600, is a reduction of \$21,776 below the Budget estimate, \$787,376, and a reduction of \$16,681 below the appropriation, \$782,281, for 1943. Elimination of nonrecurring items, totaling \$75,000, leaves a net increase of \$58,319 above 1943. Of eight new positions requested, the committee has approved the three most important as follows:

One SP-6—chemist, \$2,000.

One CU-7—boiler-meter man, \$2,040.

One CU-7—switchboard operator, \$2,040.

The general repairs and alterations item, \$60,000, has been reduced to \$48,000 as a careful recheck of requirements by the Architect indicates that the lesser amount will be sufficient. Gas and electricity bills have been running at an annual rate slightly below \$1,800, while the estimates included \$2,200 for such purpose. The committee has reduced this allocation to \$1,800. After taking into account these increases and decreases and the amount necessary to meet within-grade promotions automatic under the law and changes in salary ranges pursuant to legislation, there remains a net increase of \$58,000 which is entirely chargeable to the increase in the price of fuel. Fuel is purchased through the Government Fuel Yard and the estimate is based on the last price paid. Any change in the price during the fiscal year 1944 will be reflected in this item, and any substantial increase in price would probably necessitate a deficiency appropriation.

Library buildings and grounds.—The items for salaries are approved, with the exception of a new position requested for Sunday services at an annual cost of \$350. For general repairs, etc., the bill recommends \$25,000, a reduction of \$15,890 under the estimate, \$40,890, and a reduction of \$25,599 under the appropriation, \$50,599, for 1943. During the first 6 months of 1943 only \$10,000 was expended as stringencies of priorities, etc., prevented the procuring of much of the material required. Inasmuch as there is no relief from this situation in sight, \$25,000 should be adequate.

UNITED STATES BOTANICAL GARDEN

The amount provided for salaries, \$82,000, is a reduction of \$2,793 below the Budget estimate, \$84,793, and a reduction of \$1,432 below the appropriation, \$83,432, for 1943. The large turn-over will make possible the absorption of this reduction and the cost of within-grade promotions and changes in salary ranges pursuant to legislation.

LIBRARY OF CONGRESS

Salaries, Library proper.—The amount carried, \$1,459,900, is a reduction of \$45,730 below the Budget estimates, \$1,505,630, and an increase of \$36,965 above the appropriation, \$1,422,935, for 1943. All of the increase proposed is chargeable, with the exception of \$5,800 for two new positions, to changes in salary ranges pursuant to legislation and reclassification of positions under the Classification Act. The two new positions, one at \$2,000 in the Asiatic Division to provide a person schooled in the Japanese language and a recording engineer at \$3,800 for the Music Division, are granted as wartime necessities. The Japanese Section of the Asiatic Division is working very closely with various units of the Army and Navy and has demonstrated a real need for the services of an additional assistant. The Recording Laboratory of the Library is now using its facilities to record material for the armed services and an additional engineer is necessary to handle the volume of this work which is required.

Additional new positions totaling \$45,720 were not approved by the committee. Doubtless many of these could well be used in the Library, but in view of the shortage of competent personnel to handle the work of the Government during the war the Library should make its arrangements to care for its work within the limits of present personnel except in those few cases where actual war requirements have increased the work to such a degree as to make augmented staff necessary.

Sunday opening.—The amount carried in the bill, \$15,000, is a reduction of \$26,581 below the estimate, \$41,581, and a reduction of \$11,018 below the appropriation, \$26,018, for 1943. The appropriation paragraph carries authority to the Librarian to fix the rates of pay for Sunday employment and the proposed increase above 1943 levels was predicated on the desire of the Librarian to pay time and a half for Sunday work and to increase certain rates to the levels provided for the regular workweek by legislation. It has always been the custom in the Library to treat work on Sunday as in addition to the regular workweek and, therefore, to pay for such service.

Recently the regular workweek in the Library has been increased from 39 hours to 48 hours. In the judgment of the committee a staggered workweek which would include the 8 hours employment on Sunday within a regular 48-hour week for all classes of employees wherever possible should be adopted. It probably will not be possible to provide all necessary service on Sunday by the adoption of a staggered workweek inasmuch as some of the smaller staffs are not large enough to provide the necessary days of employment without utilizing overtime services to some degree, and the committee has, therefore, provided \$15,000 to meet this need. It is not possible to compute accurately the amount needed until a careful study of the staffing requirements is made. The committee expects the Librarian to use as

little of the \$15,000 provided as possible during 1944 and to make a showing in connection with the Budget for 1945 as to what the requirements are and the smallest amount which it will be necessary to appropriate. Wherever it is necessary to treat Sunday as overtime and pay for such employment the committee approves the policy of paying the time-and-a-half rate suggested by the Librarian and basing all payments on the salary scales applicable to the regular workweek. However, in such cases the work should be so distributed among several employees that no one employee will be required to work on all Sundays. Adding regular every-Sunday employment to the lengthened workweek must of necessity result in decreased efficiency on the part of any person so employed.

Another appropriation for Sunday opening is carried under the head of "Library buildings" and includes the amount required for maintenance personnel. For 1943 \$11,353 was appropriated and for 1944 an estimate of \$15,894 was presented. This estimate contemplated the same refinement of rates as explained in connection with the item for employees of the Library proper. The staggered workweek should be adopted for this class of personnel also and the amount carried in the bill for the purpose of meeting such needs as cannot be provided by staggered workweek is \$8,000. The committee will also expect the Librarian to use as little of this appropriation as possible and to make a report thereon similar to that which he will make in connection with the item for salaries of Library assistants in the Budget for 1945.

Union catalog.—The amount allowed, \$51,700, is a reduction of \$16,725 below the Budget estimate, \$68,425, and an increase of \$24,635 above the appropriation, \$27,065, for 1943. The large increase proposed was made the subject of a special plea by the Librarian who urged its favorable consideration as a necessary step in paving the way for orderly augmentation of the book inventories of the various large libraries in the period immediately following the war. It is contemplated that a large supply of desirable materials will be on the market and sizable savings will result by having the union catalogs as nearly complete as possible by that time. In addition, large private libraries are at the present time in position to throw their resources behind the program and the expenditure of the amount of money proposed by the Federal Government will result in much larger expenditures from private funds and the securing for the use of the Library of Congress free of charge of much work and material which would otherwise be either not available at all or if procured at a later date would be the sole financial burden of the Government. The Librarian advised the committee that one portion of the project, the editing of the union catalog, at a cost of \$16,604, could be deferred without interfering with the remainder of the program. The committee therefore has approved the request with the exception of the cost of editing the catalog.

Printing and binding.—The amount recommended, \$270,000, is a reduction of \$90,000 below the Budget estimate, \$360,000, and an increase of \$10,000 above the appropriation, \$260,000, for 1943. It is contemplated that the increase over 1943 will be used for the rebinding and repair of such rare books as would be lost completely by failure to care for them.

GOVERNMENT PRINTING OFFICE

The amount for congressional printing and binding, the Federal Register, and working capital, \$7,225,000, is \$10,000 less than the Budget estimate, \$7,235,000, and \$2,940,000 less than the appropriation, \$10,165,000, for 1943. Included in the sum of \$7,225,000, is \$3,000,000 for working capital to enable the Public Printer to finance Federal agency printing and binding pending payment by such agencies of bills rendered after work is delivered. This sum, by the terms of the appropriation act, is to be returned to the Treasury within 6 months after the close of the fiscal year. An analysis of the sum as contemplated by the Budget estimates, is as follows:

(a) Congressional Record.....	\$900, 000
(b) Miscellaneous publications.....	700, 000
(c) Miscellaneous printing and binding.....	400, 000
(d) Publications for international exchange.....	25, 000
(e) Franked envelopes and document franks.....	100, 000
(f) Bills, resolutions, and amendments.....	300, 000
(g) Committee reports.....	175, 000
(h) Documents.....	220, 000
(i) Hearings.....	850, 000
(j) Federal Register.....	565, 000
	4, 235, 000
(k) Working capital.....	3, 000, 000
Total.....	7, 235, 000

The only change in the foregoing table made by action of the committee is in the item for publications for international exchange, where a reduction of \$10,000 has been imposed. This item provides the Librarian of Congress with copies of Government publications for distribution by international exchange through the Smithsonian Institution to such governments as may agree to send similar publications of their governments to the United States. During the war period such exchanges must of necessity be greatly reduced and the amount of \$15,000 should provide a sufficient number of publications for the purpose in 1944.

In the course of the hearings the committee interrogated the Public Printer as to what, if anything, might be accomplished by the Printing Office in reduction of the Government's annual printing costs. The table appearing on pages 186 and 187 of the hearings is a statement of all printing costs by agencies of the Government for the fiscal year 1942 and 7 months of the fiscal year 1943. In 1942 the total cost was \$46,690,343. In 7 months of 1943, \$27,606,941 was expended. This latter figure is on a bills-rendered basis and is estimated by the Printing Office to represent approximately 40 percent of the total printing bill for the fiscal year. The total cost for 1943 will approximate \$69,000,000. The Public Printer made a detailed statement, which appears on pages 198 to 202 of the hearings, in which he outlined methods by which the Government Printing Office may effect material economies in printing for the various Government agencies. The Public Printer was informed that he will be expected to report to the committee at the time he presents his estimates for the fiscal year 1945 as to what has been accomplished in this field.

The amount carried for salaries in the office of the Superintendent of Documents, \$852,500, is a reduction of \$15,010 under the Budget estimate, \$867,510, for 1944, and an increase of \$35,990 above the

appropriation for 1943. The increase has been made necessary by the increase in volume of business in the office. A comparative table on page 212 of the hearings indicates that the total number of publications sold in 1942, 36,492,359, represented approximately a 50 percent increase over the number sold, 24,484,203, in 1941. This rate of increase has been projected so far in the fiscal year 1943.

TITLE II—JUDICIARY

The amount recommended for support of the judiciary, \$12,401,410, is a reduction of \$102,364 below the 1943 appropriation, \$12,503,774, and a reduction of \$666,565 below the Budget estimates, \$13,067,975, for 1944. The appropriations herein are the total cost of operation of the Federal judicial system, with the exception of the Tax Court, which is appropriated for under the Treasury Department.

UNITED STATES SUPREME COURT

The estimates for the Supreme Court, \$484,200 for personal services, \$26,000 for printing and binding, \$27,000 for miscellaneous expenses, and \$30,000 for preparation of rules for criminal proceedings, are approved. For maintenance of the Supreme Court Building, the amount recommended, \$68,000, is the same as the amount appropriated for 1943, and a reduction of \$1,320 below the estimate, \$69,320, for 1944. The small reduction can well be absorbed by personnel turn-over as the expenditures during 1943 for this purpose will leave a balance of approximately \$5,000.

The appropriation for preparation of rules in criminal proceedings in the Federal courts, \$30,000, is estimated by the officials in charge of the work to be adequate for completion of the job. The sum of \$50,000 has heretofore been appropriated, making the total cost \$80,000. It is contemplated that the work will be completed early in the calendar year 1944. At the request of the Court the committee has inserted a provision reappropriating the unexpended balance of the appropriation for preparation of rules for civil proceedings. These rules have now been in use in the courts for a sufficient length of time to determine that certain refinements and modifications are necessary and the reappropriation is for that purpose. In addition, there is in progress the preparation of rules for condemnation proceedings. It is probable that the condemnation rules and the revision of the civil rules can be completed out of this reappropriation.

DISTRICT COURT BUILDING

The amount allowed \$11,300 is a reduction of \$1,000 under the Budget estimate, \$12,300, and a reduction of \$1,000 under the appropriation, \$12,300 for 1943. This reduction can be absorbed out of the allocation for painting.

UNITED STATES CUSTOMS COURT

The amount for salaries, \$236,500, is the same as the Budget estimate and the amount appropriated for 1943. For contingent expenses the amount carried, \$13,500, is a reduction of \$3,500 below the Budget estimate and \$3,500 below the appropriation for 1943.

For similar purposes, approximately \$12,000 was expended in 1942. The expenditures for travel in that year were \$6,698 and for equipment, \$1,349. The estimate for 1944 included \$10,000 for travel and \$2,500 for equipment. The reduction can easily be absorbed out of these allocations.

COURT OF CLAIMS

The amount approved, \$208,000, is a reduction of \$718 below the estimate, \$208,718, and an increase of \$1,000 over the appropriation, \$207,000, for 1943. The estimate included funds for the payment of within-grade promotions under the Ramspeck Act, which will be required in 1944. All other estimates submitted for 1944 have included funds for payment in 1944 of the difference between the cost in 1943 of the 1943 promotions and the full annual-year cost of such promotions. No funds have been included in any other estimate for 1944 promotions, as the heavy turn-over in personnel in all Government agencies will, in practically all cases, leave sufficient funds available from lapses to meet this need. The reduction made in the Court of Claims item is to place the Court of Claims on the same footing with regard to 1944 promotion funds as are all other Government agencies. The item for repairs and improvements to the Court of Claims Building, \$2,550, is a reduction of \$2,000 below the Budget estimate and below the current year appropriation. This reduction can be absorbed by deferring interior painting which was contemplated to be done during 1944.

DISTRICT COURT, PANAMA CANAL ZONE

Appropriations for the District Court of the Panama Canal Zone have been carried heretofore as a separate item. However, provision for all other similar courts, such as the courts for the Virgin Islands, Puerto Rico, and Alaska, have always been included as a part of the appropriations for the United States district courts. The Budget estimate proposed transfer of the amount for the Canal Zone Court to the central items on the same basis as the other courts referred to. The committee has acceded to this request.

UNITED STATES COURT FOR CHINA

Under the provisions of a treaty between the United States and China, which was approved by the Senate on February 11, 1943, the United States has relinquished extraterritorial rights in China and, therefore, the United States Court for China has been abolished. The estimate, \$17,060, has been eliminated from the bill in accord with a recommendation contained in a letter from the President, dated February 19, 1943, and printed as House Document 114.

SALARIES OF CLERKS OF COURTS

The amount proposed, \$2,542,900, is a reduction of \$47,380 below the Budget estimate, \$2,590,280, and an increase of \$22,126 above the appropriation, \$2,520,774, for 1943. After eliminating \$58,674 of nonrecurring items and accounting for the transfer of \$16,300 from the previous appropriation for salaries of the District Court, Panama Canal Zone, and a reduction of \$27,376 on account of elimination of certain offices hereinafter explained, the amount recommended represents an actual increase over 1943 of \$91,876.

Of a request for \$27,000 for additional clerical assistants, the committee has approved \$7,000. The cost of within-grade promotions, \$21,880, and \$63,000 for reclassification of positions of deputy clerks are approved by the committee. In the Budget for 1943, the court administration requested \$81,000 for reclassification of these positions. At that time, however, no study of the pay classifications of the positions had been made by the Civil Service Commission and the proposed reclassification would have been accomplished by action of the administrative office. The Committee on Appropriations deleted the item and suggested that the Director have the positions surveyed for pay reclassification purposes by the Civil Service Commission, with a view to establishing throughout the court system uniform grades which would provide salaries comparable to those paid in other branches of the Federal service for positions of similar responsibility. While the positions in the offices of the clerks of courts are not under the Classification Act and the findings of the Civil Service Commission are not mandatory—as they would be in the classified service—it is the judgment of the committee that the establishment of grades in accord with the provisions of the Classification Act is the only logical method of eliminating existing inequities. The amount of \$63,000 is sufficient substantially to establish the pay grades recommended by the Commission throughout the system and the committee will expect the Director meticulously to adhere to the standards set up by the Civil Service Commission. Wherever readjustments in the service are necessary, the Director should consult with the Commission before making changes which would vary from the established standards.

The statutes require that offices of clerks of courts be maintained at many points where business of the courts has dwindled to the vanishing point. The Director was asked in the course of the hearings, page 29, whether he would recommend the closing of any of such offices and, in reply, made the following statement: "I would certainly abolish a number of those outlying offices." He was then requested to furnish the committee with a list of offices which, in his opinion, could be closed without impairing the work of the courts and inserted in the record, page 30 of the hearings, a list of 24 such offices. It will be observed that at some of the offices involved no cases of any kind were filed in either 1941 or 1942. The number of cases filed is so low as to be insufficient to justify the employment of a full-time clerk at any of them. Under the authority vested in the Committee on Appropriations by the Holman rule, a provision abolishing the positions of deputy clerks in these offices and repealing the provisions of law which require that they be maintained is carried in the bill. The total salaries of the clerks in these offices is \$27,376 and other expenses involve a cost of approximately \$1,000. This will not interfere with the holding of sessions of court at these points as provided by law, and the detail of necessary personnel from other offices during sessions of court is specifically provided for. There are 24 places of holding court where the statute requires an office of the clerk of the court to be maintained but where no offices are now open. So long as the law stands as now written, the Director would have no choice but to authorize the appointment of a deputy clerk should a demand be made. There appears to be no justification for opening an office at any of these places and the committee has inserted a provision repealing the statutes referred to.

PROBATION SYSTEM

The amount carried in the bill, \$956,800, is a decrease of \$31,730 below the Budget estimates and a decrease of \$31,200 below the appropriation, \$988,000, for 1943. However, the elimination of a nonrecurring item leaves an actual increase of \$26,800. Of this amount \$7,600 is for within-grade promotions, \$12,000 for salary reclassifications, and \$7,200 for 5 grade 2 clerks. The Budget estimate included provision for 15 additional probation officers and 10 additional clerks. In view of the fact that the number of persons on probation has reduced considerably since the beginning of the war period and probably will continue to decrease, the committee believes the appointment of additional officers is not justified.

FEES OF JURORS

The amount recommended, \$1,680,000, is a reduction of \$260,000 below the Budget estimate, \$1,940,000, and the same amount below the appropriation for 1943. Expenditures for 1943 to date indicate a probable total figure for the year of approximately \$1,675,000. In 1940, \$1,980,000 was expended; in 1941, \$1,826,000 was expended; and in 1942, the expenditures totaled \$1,778,000. The administrative office is to be commended for the economies effected in this item. While the Director has no control over the number of jurors impaneled or the number of days they are required to serve, as these matters are entirely within the discretion of the various courts, he and his assistants have been able to assist in reducing the number of juror days paid for by advising with court officials and calling attention to methods which have been found practical and useful in other courts. The reduction proposed has the approval of the Director who, in the course of the hearings, advised the committee that \$1,680,000 would be sufficient for the fiscal year 1944.

MISCELLANEOUS SALARIES

The amount allowed, \$987,100, is an increase of \$94,000 over the appropriation, \$893,100 for 1943, and a decrease of \$237,780 below the Budget estimate, \$1,224,880, for 1944. Of the increase, \$23,000 is the amount of a transfer from appropriations for the National Park Service and represents the salaries of United States commissioners in the various national parks. The amount has been eliminated from the National Park Service appropriations under the Interior Department and will hereafter be appropriated to the judiciary system.

The sum of \$8,130 is the cost of automatic promotions under the law and changes in salary ranges pursuant to legislation, and \$3,250 is a transfer from the previous appropriation for salaries for the district court in Panama, as explained above. The cost of new personnel provided on an annual basis would be \$66,300, of which amount \$59,700 is included in the bill. The remaining \$6,600 will not be required in 1944, as it will not be possible to fill all of these positions at the beginning of the fiscal year. This amount provides \$8,800, on an annual basis, for the clerical service of the Emergency Court of Appeals, and the remainder, \$57,500, on an annual basis, will provide 25 additional law clerks for district court judges.

The question of providing necessary office assistants for judges of the district courts was the subject of extensive hearings and consideration by the committee. For the current fiscal year, each judge is provided with one secretary in the senior clerical grade, the salary of which ranges from \$2,000 to \$2,600 per year. The Budget estimate contemplated increasing the salaries of secretaries to judges from the senior clerical grade to the principal clerical grade with a range of \$2,300 to \$2,900. The law authorizes appointment of law clerks to the judges of the district courts, but for 1943 and prior years only 36 such clerks have been provided in the appropriation act. The Budget estimate contemplated the appointment of 81 additional and the reclassification of all law clerks to district judges from the principal subprofessional grade with a salary range of from \$2,300 to \$2,900 to the assistant professional grade, with a salary range from \$2,600 to \$3,000. A committee of judges appeared before the subcommittee and stated that a further survey of the situation prompted them to suggest reduction of the number of new clerks to be provided for 1944 to 50 instead of the 81 included in the estimate.

The committee of judges informed the committee that they are undertaking a complete study of the problem of staffing judges' offices with a view to making a recommendation to the Congress at as early a date as practicable, looking toward proper clerical service. It appears that there is a wide diversity of opinion among judges as to what employees should be allowed and what salaries should be paid. It was suggested to the committee of judges that they give consideration to a proposal which would allow to each judge, for office staff, a fixed sum of money within the limitations of which he could fix the salaries. Such a plan would be similar to that now in use to provide clerical assistants to Members of the House of Representatives. The committee of judges is taking this matter under advisement, and it is expected they will report to Congress, before the Budget for 1945 is considered, a concrete recommendation supported by the preponderance of opinion in the judiciary.

In view of the fact that the whole problem is being studied and the Congress will be given an opportunity to consider the over-all picture within the near future, the committee has eliminated the funds for reclassification of salaries pending action on the final proposal to be presented and has reduced the number of additional law clerks to 25, which number will supply the most urgent requirements.

MISCELLANEOUS EXPENSES

The amount proposed, \$390,000, is a reduction of \$29,900 below the Budget estimate, \$419,900, and an increase of \$82,800 above the appropriation, \$307,200, for 1943. Heretofore, the appropriation for items other than personal services for the offices of clerks of courts and for the probation system have been divided between the "Miscellaneous expense" item and the items for salaries for the two services referred to. The estimates for 1944 proposed to eliminate all amounts for purposes other than personal services from the salary items and to carry all miscellaneous expenses under one heading. The total of these transfers is \$108,800. When this is added to the general item of \$307,200 for 1943, the total for 1944 for comparable items, is \$416,000, so the amount proposed in the bill is an actual reduction of

\$26,000 below 1943 appropriations. The remaining \$3,900 was included in the estimates originally to defray the anticipated cost of renting typewriters by clerks' offices, and the estimated increase in cost in necessary repairs to typewriters and office devices. At the time of the hearings the administrator recommended elimination of the item as later experience indicated that the necessary service could be rendered without it. The cost of maintaining 24 clerk's offices, closing of which is provided for, accounts for approximately \$1,000 of the reduction. The allocation to the purchase of new equipment in the estimate is \$32,000, but due to the lack of availability of such equipment, the decrease proposed by the committee can largely be absorbed out of this sum. The acute need for office machinery in public and private agencies directly engaged in the war effort should be taken into consideration by other agencies, who should make every possible effort to carry on their work within the limits of existing facilities.

SALARIES, ADMINISTRATIVE OFFICE

The committee has approved \$243,800, which is a reduction of \$87,370 below the Budget estimate, \$252,537 for 1944, and an increase of \$1,300 above the appropriation, \$242,500 for 1943. The decrease below the Budget is entirely accounted for in the elimination of the request for four new positions. The increase above 1943 will be required to augment savings from lapses in defraying costs of automatic within-grade promotions and changes in salary ranges due to legislation.

MISCELLANEOUS EXPENSES, ADMINISTRATIVE OFFICE

The amount recommended, \$24,000, is a reduction of \$15,000 below the Budget estimate and the 1943 appropriation. The allocation in the estimates for travel for 1944 is \$20,000, but in 1942 approximately \$9,000 was expended and there is no indication that the cost will greatly exceed that figure in 1944; \$10,000 of the committee reduction can easily be absorbed in the travel allocation. The estimate for equipment is in the amount of \$6,600, but the committee was advised in the hearings that shortage of such equipment will so curtail purchases that the item may be reduced \$4,000. The remaining \$1,000 of the reduction can be absorbed out of the allocation for supplies and materials.

LEGISLATIVE PROVISIONS

The following legislative provisions not heretofore carried in any appropriation act are carried in the bill:

On page 29, in connection with appropriations for the Capitol Police:

Provided, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940 shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail.

On page 42, in connection with appropriations for the Library of Congress:

Provided, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100.

COMPLIANCE WITH CLAUSE 2A, RULE XIII, OF THE RULES OF THE HOUSE

EXISTING LAW

Massachusetts (28 U. S. C. 167).—
* * * the clerk for said district shall appoint at least one deputy to reside in Springfield and to maintain an office at that place. * * *

Maryland (28 U. S. C. 166).—
* * * The clerk of the court shall appoint a deputy who shall reside and maintain an office at Cumberland, unless the clerk shall himself reside there. * * *

North Carolina, western (28 U. S. C. 179).—
* * * The clerk of the court for the western district shall maintain an office, in charge of himself or a deputy at Charlotte, at Asheville, at Statesville, at Shelby, and at Bryson City, which shall be kept open at all times for the transaction of the business of the court. * * *

Virginia, western (28 U. S. C. 192).—
* * * The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Lynchburg, Roanoke, Danville, Charlottesville, Harrisonburg, Big Stone Gap, and Abingdon, which shall be kept open at all time for the transaction of the business of the court. * * *

Texas, southern (28 U. S. C. 189).—
* * * The clerk of the court for the southern district shall maintain an office in charge of himself or a deputy at each of the places designated on March 3, 1911, for holding court in said district. * * *

Texas, western (28 U. S. C. 189).—
* * * The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Austin, at El Paso, and at Del Rio, which shall be kept open at all times for the transaction of business. * * *

Wisconsin, western (28 U. S. C. 195).—
* * * The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Madison, at La Crosse, at Wausau, and at Superior, which shall be kept open at all times for the transactions of the business of the court. * * *

PROPOSED LEGISLATION

(On p. 55 of the bill in the appropriation for salaries of clerks of courts.)

Provided, That the positions of deputy clerk of the United States district court at Springfield, Massachusetts, Cumberland, Maryland, Statesville, North Carolina, Big Stone Gap, Virginia; Charlottesville, Virginia; Key West, Florida; Victoria, Texas; Del Rio, Texas; LaCrosse, Wisconsin; Batesville, Arkansas; Harrison, Arkansas; Creston, Iowa; Ottumwa, Iowa; Chadron, Nebraska; Grand Island, Nebraska; Hastings, Nebraska, McCook, Nebraska; Norfolk, Nebraska; Minot, North Dakota; Grand Forks, North Dakota; Jamestown, North Dakota; Moscow, Idaho; Bellingham, Washington; and Pueblo, Colorado, are hereby abolished and such provisions of law as require offices of clerks of courts to be maintained at such places are hereby repealed but this proviso shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

EXISTING LAW

PROPOSED LEGISLATION

Arkansas, eastern (28 U. S. C. 144).—
 * * * The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Helena, Batesville, Jonesboro, and Little Rock. Such offices shall be kept open at all times for the transaction of the business of the court. * * *

Arkansas, western (28 U. S. C. 144).—
 * * * The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Texarkana, Fort Smith, El Dorado, Harrison, and Hot Springs. Such offices shall be kept open at all times for the transaction of the business of the court. * * *

Iowa, southern (28 U. S. C. 156).—
 * * * The clerk of the court for said district shall maintain an office in charge of himself or a deputy at Davenport and at Ottumwa for the transaction of the business of said divisions. * * *

Nebraska (28 U. S. C. 173).—
 * * * The clerk of the court shall appoint a deputy for each division of the district in which he does not himself reside, who shall keep his office and reside at the place of holding court in the division for which he is appointed. * * *

North Dakota (28 U. S. C. 180).—
 * * * The clerk of the court shall maintain an office in charge of himself or a deputy at each place at which court is held in his district. * * *

Idaho (28 U. S. C. 151).— * * *
 The clerk of the court shall maintain an office in charge of himself or a deputy at Coeur d'Alene City, at Moscow, at Boise City, and at Pocatello, which shall be open at all times for the transaction of the business of the court. * * *

Washington, western (28 U. S. C. 193).— * * *
 The clerks of the courts for the eastern and western districts shall maintain an office in charge of himself or a deputy at each place in their respective districts where terms of court were required on March 3, 1911, to be held. * * *

Colorado (28 U. S. C. 146).— * * *
 Terms of the district court shall be held at Denver * * * at Pueblo * * * at Grand Junction * * * at Montgomery * * * at Durango * * * and at Sterling. * * * The marshal and clerk of said court shall each, respectively, appoint at least one deputy to reside at and who shall maintain an office at each of the five said places where said court is to be held by the terms of this section * * *.

EXISTING LAW

Alabama, northern (28 U. S. C. 142).— * * * The clerk of the court for the northern district shall maintain an office in charge of himself or a deputy at Anniston, at Florence, at Jasper, and at Gadsden, which shall be kept open at all times for the transaction of the business of said court. * * *

Colorado (28 U. S. C. 146).— * * * Terms of the district court shall be held at Denver * * * at Pueblo * * * at Grand Junction * * * at Montgomery * * * at Durango * * * and at Sterling. * * * The marshal and clerk of said court shall each, respectively, appoint at least one deputy to reside at and who shall maintain an office at each of the five said places where said court is to be held by the terms of this section * * *

Georgia, northern (28 U. S. C. 150a).— * * * The clerk of the court for each of said districts shall maintain an office, in charge of himself or a deputy, in the respective divisions of the district, and the offices for such court shall be kept open at all times for transaction of business of the court. * * *

Illinois, eastern (28 U. S. C. 152).— * * * The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Danville, at Cairo, at East Saint Louis, and at Benton, which shall be kept open at all times for the transaction of the business of the court, and shall there keep the records, files, and documents pertaining to the court at that place. * * *

Kansas (28 U. S. C. 157).— * * * The clerk of the district court shall appoint three deputies, one of whom shall reside and keep his office at Fort Scott, one at Wichita, and the other at Salina. * * *

Missouri, western (28 U. S. C. 171).— * * * The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Kansas City, at Jefferson City, at Saint Joseph, at Chillicothe, at Joplin, and at Springfield, which shall be kept open at all times for the transaction of the business of the court. * * *

New Mexico (28 U. S. C. 177).— * * * That the marshal and clerk of said court shall each, respectively, appoint at least one deputy to reside and who shall maintain an office at each of the cities of Albuquerque and Roswell, and the marshal and the clerk of said court may each, respectively, with the approval of the Attorney General, appoint one deputy at each of the cities of Las Cruces, Silver City, Raton, and the town of Las Vegas. * * *

PROPOSED LEGISLATION

(On p. 56 of the bill in the appropriation for salaries, clerks of courts)

The provisions of law requiring offices of clerks of courts to be maintained at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; and Lander, Wyoming; are hereby repealed, but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

EXISTING LAW

North Carolina, western (28 U. S. C. 179).— * * * The clerk of the court for the western district shall maintain an office, in charge of himself or a deputy, at Charlotte, at Asheville, at Statesville, at Shelby, and at Bryson City, which shall be kept open at all times for the transaction of the business of the court. * * *

Oklahoma, eastern (28 U. S. C. 182).— * * *; the clerk of the district court for the eastern district shall keep his office at Muskogee and shall maintain an office in charge of a deputy at Ardmore; * * *

Oklahoma, western (28 U. S. C. 182).— * * *; the clerk for the western district shall keep his office at Oklahoma City and shall maintain an office in charge of a deputy at Guthrie. * * *

South Dakota (28 U. S. C. 187).— * * * The clerk of the district court shall maintain an office in charge of himself or a deputy at Sioux Falls, at Pierre, at Aberdeen, and at Deadwood, which shall be kept open for the transaction of business of the court. * * *

Utah (28 U. S. C. 190).— * * * The clerk of the court for said district shall maintain an office in charge of himself or a deputy at each of the places where the court was required on March 3, 1911, to be held in the district.

Wyoming (28 U. S. C. 196).— * * * The marshal and the clerk of the said court shall each, respectively, appoint at least one deputy to reside at Casper, and one to reside at Evanston, and one to reside at Lander, and shall maintain an office at each of those places. * * *

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COMPARATIVE STATEMENT SHOWING THE APPROPRIATIONS FOR 1943, THE ESTIMATES FOR 1944, THE AMOUNTS CARRIED IN THE BILL FOR 1944, AND THE INCREASE OR DECREASE AS COMPARED WITH THE CURRENT APPROPRIATIONS AND THE ESTIMATES

[Appropriations for 1943 include sums in regular annual, supplemental, and deficiency appropriation acts for such fiscal year]

TITLE I. LEGISLATIVE

Object	Appropriations, 1943	Budget estimates, 1944	Amount recommended in bill for 1944	Increase (+) or decrease (-), bill compared with 1943 appropriation	Increase (+) or decrease (-), bill compared with 1944 Budget estimates
SENATE					
Senators:					
Salaries of-----	\$960, 000	\$960, 000	\$960, 000		
Mileage of-----	51, 000	51, 000	51, 000		
Vice President's office, salaries-----	11, 460	11, 460	11, 460		
Chaplain-----	1, 680	1, 680	1, 680		
Secretary's office, salaries-----	1 150, 020	150, 020	150, 020		
Document room, salaries-----	19, 220	19, 220	19, 220		
Committees, salaries of employees-----	507, 740	507, 740	507, 740		
Senators' clerks, etc-----	1, 156, 800	1, 156, 800	1, 156, 800		
Sergeant at Arms and Doorkeeper, office of:					
Salaries-----	277, 144	277, 228	277, 228	+ \$84	
Senate Office Building police force-----	53, 880	53, 880	53, 880		

¹ Includes \$180 in First Supplemental 1943.

Comparative statement showing the appropriations for 1943, the estimates for 1944, the amounts carried in the bill for 1944, and the increase or decrease as compared with the current appropriations and the estimates—Continued

TITLE I. LEGISLATIVE—Continued

Object	Appropriations, 1943	Budget estimates, 1944	Amount recommended in bill for 1944	Increase (+) or decrease (—), bill compared with 1943 appropriation	Increase (+) or decrease (—), bill compared with 1943 Budget estimates
SENATE—continued					
Post office, salaries	\$56, 460	\$56, 460	\$56, 460		
Folding room, salaries	29, 220	29, 220	29, 220		
Contingent expenses:					
Automobile for Vice President, maintenance	4, 000	4, 000	4, 000		
Reporting debates	66, 340	66, 340	66, 340		
Furniture:					
Purchase and materials for repair	8, 000	8, 000	8, 000		
Labor for repairing	2, 000	2, 000	2, 000		
Inquiries and investigations	2 350, 000	150, 000	150, 000	—\$200, 000	
Joint Committee on Internal Revenue Taxation	30, 000	30, 000	30, 000		
Folding speeches:					
Labor for	18, 000	18, 000	18, 000		
Material for	1, 500	1, 500	1, 500		

Fuel, oil, etc.	2, 000	2, 000	2, 000	
Repairs and equipment, Senate kitchens	3 74, 950	35, 000	35, 000	—39, 950
Motor vehicles for the mails	8, 760	8, 760	8, 760	
Miscellaneous items	350, 000	350, 000	350, 000	
Packing boxes	970	970	970	
Air-mail postage	4, 850	4, 850	4, 850	
Postage for officers of the Senate	500	500	500	
Stationery	26, 900	26, 900	26, 900	
Rent of warehouse for documents	2, 000	2, 000	2, 000	
Total, Senate	4, 225, 394	3, 985, 528	3, 985, 528	—239, 866
HOUSE OF REPRESENTATIVES				
Members and Delegates:				
Salaries	4, 385, 000	4, 385, 000	4, 385, 000	
Mileage	171, 000	171, 000	171, 000	
Beneficiaries of deceased Members	4 20, 000			—20, 000
Speaker's office, salaries	13, 500	13, 500	13, 500	
Speaker's table	15, 400	15, 400	15, 400	
Chaplain	1, 680	2, 500	2, 500	+ 820

² \$200,000 included in Urgent Deficiency Act, 1943.

³ Includes \$39,950 in Second Supplemental 1943.

⁴ \$10,000 in Second Supplemental 1943 and \$10,000 in First Deficiency Act, 1943,

Comparative statement showing the appropriations for 1943, the estimates for 1944, the amounts carried in the bill for 1944, and the increase or decrease as compared with the current appropriations and the estimates—Continued

TITLE I. LEGISLATIVE—Continued

Object	Appropriations, 1943	Budget estimates, 1944	Amount recommended in bill for 1944	Increase (+) or decrease (—), bill compared with 1943 appropriation	Increase (+) or decrease (—), bill compared with 1944 Budget estimates
HOUSE OF REPRESENTATIVES—continued					
Clerk's office, salaries-----	\$178, 540	\$182, 144	\$182, 144	+\$3, 604	-----
Committees, annual employees-----	334, 700	337, 900	337, 600	+2, 900	—\$300
Sergeant at Arms, office of, salaries-----	39, 100	38, 800	41, 200	+2, 100	+2, 400
House Office Building police force-----	63, 480	63, 480	63, 480	-----	-----
Doorkeepers' office, salaries-----	269, 508	269, 696	269, 336	—172	—360
Special and minority employees-----	59, 260	54, 260	54, 260	—5, 000	-----
Post office:					
Salaries-----	84, 680	84, 680	84, 680	-----	-----
Mail-carrying vehicles-----	2, 200	2, 200	2, 200	-----	-----
Official reporters-----	63, 000	70, 500	70, 500	+7, 500	-----
Committee stenographers-----	43, 360	43, 360	43, 360	-----	-----
Members and Delegates, clerk, hire for-----	2, 847, 000	2, 847, 000	2, 847, 000	-----	-----
Contingent expenses:					
Furniture and repairs to furniture-----	45, 000	45, 000	40, 000	—5, 000	—5, 000

Packing boxes.....	3, 500	3, 500	-----	-----	-3, 500
Miscellaneous items.....	95, 000	95, 000	95, 000	-----	-----
Reporting hearings.....	30, 000	30, 000	30, 000	-----	-----
Special committees.....	7 400, 000	8 400, 000	400, 000	-----	-----
Joint Committee on Internal Revenue Taxation.....	30, 000	30, 000	35, 500	+5, 500	+5, 500
Telegraph and telephone.....	140, 000	175, 000	175, 000	+35, 000	-----
Stationery.....	92, 600	92, 600	92, 600	-----	-----
Medical supplies, etc.....	8, 245	6, 985	6, 985	-1, 260	-----
Air postage.....	21, 900	21, 900	21, 900	-----	-----
Postage for officers.....	950	950	950	-----	-----
Folding speeches.....	30, 000	30, 000	30, 000	-----	-----
Editing of Code.....	8, 000	9 118, 000	8, 000	-----	-110, 000
Services, various compilations.....	4, 500	4, 500	4, 500	-----	-----
Speaker's automobile.....	4, 000	4, 000	4, 000	-----	-----
Total, House of Representatives.....	9, 505, 103	9, 638, 855	9, 527, 595	+22, 492	-111, 260

⁵ \$4,200 included in H. Doc. 119.⁶ \$7,500 included in H. Doc. 125.⁷ \$250,000 included in Urgent Deficiency Act, 1943.⁸ \$250,000 included in H. Doc. 119.⁹ \$110,000 included in H. Doc. 136.

Comparative statement showing the appropriations for 1943, the estimates for 1944, the amounts carried in the bill for 1944, and the increase or decrease as compared with the current appropriations and the estimates—Continued

TITLE I. LEGISLATIVE—Continued

Object	Appropriations, 1943	Budget estimates, 1944	Amount recommended in bill for 1944	Increase (+) or decrease (—), bill compared with 1943 appropriation	Increase (+) or decrease (—), bill compared with 1944 Budget estimates
CAPITOL POLICE					
Salaries.....	\$100, 680	\$100, 680	\$98, 940	—\$1, 740	—\$1, 740
Purchase of uniforms, etc.....	9, 400	9, 400	9, 400		
Additional protection.....	55, 000	55, 000	55, 000		
Total, Capitol Police.....	165, 080	165, 080	163, 340	—1, 740	—1, 740
JOINT COMMITTEE ON PRINTING					
Salaries.....	11, 860	11, 860	11, 860		
LEGISLATIVE COUNSEL					
Salaries and expenses.....	82, 550	82, 000	83, 000	+450	+1, 000
MISCELLANEOUS					
Statement of appropriations.....	4, 000	4, 000	4, 000		
Joint Committee on Federal Expenditures.....	10 10, 000			—10, 000	
ARCHITECT OF THE CAPITOL					
Architect's Office, salaries.....	63, 665	64, 100	64, 100	+435	

Capitol Building, repairs, etc.	289, 900	335, 994	289, 200	- 700	-46, 794
Capitol Grounds, care and improvement	147, 566	110, 866	103, 200	-44, 366	-7, 666
Legislative garages, etc.	12, 210	12, 720	12, 720	+ 510	
Subway transportation, Senate	2, 000	2, 000	1, 500	- 500	- 500
Senate Office Building: Maintenance, etc.	313, 560	318, 255	313, 560		-4, 695
House Office Buildings: Maintenance, etc.	391, 760	418, 005	390, 200	-1, 560	-27, 805
Capitol power plant: Lighting Capitol, etc.	782, 281	787, 376	765, 600	-16, 681	-21, 776
Library Buildings and grounds:					
Salaries	93, 570	98, 340	98, 300	+4, 730	-40
Sunday opening	6, 768	7, 679	7, 300	+ 532	-379
Repairs, miscellaneous supplies, etc.	50, 599	40, 890	25, 000	-25, 599	-15, 890
Total, Architect of the Capitol	2, 153, 879	2, 196, 225	2, 070, 680	-83, 199	-125, 545
BOTANIC GARDEN					
Salaries	83, 432	84, 793	82, 000	-1, 432	-2, 793
Repairs and improvements	23, 125	23, 125	21, 000	-2, 125	-2, 125
Total, Botanic Garden	106, 557	107, 918	103, 000	-3, 557	-4, 918

¹⁰ In Second Supplemental, 1943.¹¹ Includes \$7,300 in Second Supplemental 1943.

Comparative statement showing the appropriations for 1943, the estimates for 1944, the amounts carried in the bill for 1944, and the increase or decrease as compared with the current appropriations and the estimates—Continued

TITLE I. LEGISLATIVE—Continued

Object	Appropriations, 1943	Budget estimates, 1944	Amount recommended in bill for 1944	Increase (+) or decrease (—), bill compared with 1943 appropriation	Increase (+) or decrease (—), bill compared with 1944 Budget estimates
LIBRARY OF CONGRESS					
Salaries.....	\$1, 422, 935	¹² \$1, 505, 630	\$1, 459, 900	+\$36, 965	—\$45, 730
Copyright Office, salaries.....	292, 920	294, 100	294, 100	+1, 180	-----
Legislative Reference Service.....	149, 480	¹³ 148, 370	148, 300	—1, 180	—70
Card indexes, distribution of.....	¹⁴ 234, 090	234, 125	234, 100	+10	—25
Index to State legislation.....	37, 960	37, 760	37, 760	—200	-----
Sunday opening.....	26, 018	¹⁵ 41, 581	15, 000	—11, 018	—26, 581
Union Catalog.....	27, 065	68, 425	51, 700	+24, 635	—16, 725
Increase of the Library.....	173, 000	198, 000	198, 000	+25, 000	-----
Purchase of books for law library.....	90, 000	100, 000	95, 000	+5, 000	—5, 000
Books of reference, Supreme Court.....	20, 000	20, 000	20, 000	-----	-----
Books for adult blind.....	¹⁶ 370, 000	370, 000	370, 000	-----	-----
Printing and binding.....	260, 000	360, 000	270, 000	+10, 000	—90, 000
Catalog of title entries.....	45, 000	45, 000	30, 000	—15, 000	—15, 000
Printing catalog cards.....	200, 000	260, 000	260, 000	+60, 000	-----

Contingent expenses-----	19, 400	20, 800	20, 800	+1, 400	-----
Furniture and equipment-----	28, 673	17, 500	16, 000	-12, 673	-1, 500
Photoduplication service-----	28, 235	26, 780	26, 700	-1, 535	-80
Security of collections-----	-----	(17)	(17)	-----	-----
Library Building:					
Salaries-----	275, 556	316, 249	314, 300	+38, 744	-1, 949
Sunday opening, extra services-----	11, 353	¹⁸ 15, 894	8, 000	-3, 353	-7, 894
Contingent expenses-----	18, 200	16, 685	16, 600	-1, 600	-85
Trust Fund Board, expenses-----	500	500	100	-400	-400
Total, Library of Congress-----	3, 730, 385	4, 097, 399	3, 886, 360	+155, 975	-211, 039
GOVERNMENT PRINTING OFFICE					
Office of the Public Printer:					
Salaries, printing and binding for Congress, and working capital-----	¹⁹ 10, 165, 000	²⁰ 7, 235, 000	7, 225, 000	-2, 940, 000	-10, 000
Superintendent of Documents:					
Salaries-----	817, 510	867, 510	852, 500	+34, 990	-15, 010
Furniture and fixtures, etc-----	345, 000	345, 000	345, 000	-----	-----
Total, Government Printing Office-----	11, 327, 510	8, 447, 510	8, 422, 500	-2, 905, 010	-25, 010
Grand total, Title I—Legislative-----	31, 322, 318	28, 736, 375	28, 257, 863	-3, 064, 455	-478, 512

¹² \$9,680 included in H. Doc. 115.¹³ \$4,000 included in H. Doc. 115.¹⁴ Includes \$24,180 in Second Supplemental 1943.¹⁵ \$15,433 included in H. Doc. 130.¹⁶ Includes \$20,000 in Second Supplemental 1943.¹⁷ Reappropriation.¹⁸ \$2,440 included in H. Doc. 130.¹⁹ \$3,180,000 included in First Deficiency Act, 1943.²⁰ \$345,000 included in H. Doc. 131.

Comparative statement showing the appropriations for 1943, the estimates for 1944, the amounts carried in the bill for 1944, and the increase or decrease as compared with the current appropriations and the estimates—Continued

TITLE II. THE JUDICIARY

Object	Appropriations, 1943	Budget estimates, 1944	Amount recommended in bill for 1944	Increase (+) or decrease (-), bill compared with 1943 appropriation	Increase (+) or decrease (-), bill compared with 1944 Budget estimates
Supreme Court of the United States:					
Salaries, Court and employees-----	\$472, 400	\$484, 200	\$484, 200	+\$11, 800	-----
Preparation of rules for criminal proceedings-----	-----	30, 000	30, 000	+30, 000	-----
Printing and binding-----	27, 700	26, 000	26, 000	-1, 700	-----
Miscellaneous expenses-----	27, 000	27, 000	27, 000	-----	-----
Structural and mechanical service-----	68, 000	69, 320	68, 000	-----	-\$1, 320
Total, Supreme Court-----	595, 100	636, 520	635, 200	+40, 100	-1, 320
District Court of the United States for the District of Columbia:					
Repairs and improvements, courthouse-----	12, 300	12, 300	11, 300	-1, 000	-1, 000
United States Court of Appeals for the District of Columbia:					
Repairs and improvements-----	2, 500	2, 500	2, 500	-----	-----

Court of Customs and Patent Appeals:

Salaries-----	107, 500	107, 060	107, 060	-440	-----
Contingent expenses-----	3, 000	3, 000	3, 000		-----
Printing and binding-----	6, 700	6, 700	6, 700		-----

Customs Court:

Salaries-----	236, 500	236, 500	236, 500		-----
Contingent expenses-----	17, 000	17, 000	13, 500	-3, 500	-3, 500
Printing and binding-----	1, 000	1, 000	1, 000		-----

Court of Claims:

Salaries-----	207, 000	208, 718	208, 000	+1, 000	-718
Contingent expenses-----	18, 500	18, 500	18, 000	-500	-500
Printing and binding-----	26, 500	26, 500	26, 500		-----
Repairs to buildings-----	4, 550	4, 550	2, 550	-2, 000	-2, 000

Territorial courts:

Hawaii, salaries of judges-----	103, 500	103, 500	103, 500		-----
District Court, Panama Canal Zone-----	²¹ 29, 550			-29, 550	-----
United States Court for China-----	26, 000	(²²)		-26, 000	-----
Salaries of judges-----	3, 170, 000	3, 222, 500	3, 222, 500	+52, 500	-----

²¹ Includes \$2,250 appropriated in First Supplemental National Defense Appropriation Act, 1943.²² Estimate in the amount \$17,060 withdrawn, H. Doc. 114.

Comparative statement showing the appropriations for 1943, the estimates for 1944, the amounts carried in the bill for 1944, and the increase or decrease as compared with the current appropriations and the estimates—Continued

TITLE II. THE JUDICIARY—Continued

Object	Appropriations, 1943	Budget estimates, 1944	Amount recommended in bill for 1944	Increase (+) or decrease (—), bill compared with 1943 appropriation	Increase (+) or decrease (—), bill compared with 1944 Budget estimates
Clerks of courts, salaries of-----	²³ \$2, 520, 774	\$2, 590, 280	\$2, 542, 900	+ \$22, 126	—\$47, 380
Probation system-----	988, 000	988, 530	956, 800	—31, 200	—31, 730
Fees of commissioners and justices of the peace-----	350, 000	350, 000	350, 000	-----	-----
Fees of jurors-----	1, 940, 000	1, 940, 000	1, 680, 000	—260, 000	—260, 000
Miscellaneous salaries-----	893, 100	²⁴ 1, 224, 880	987, 100	+ 94, 000	—237, 780
Miscellaneous expenses-----	307, 200	419, 900	390, 000	+ 82, 800	—29, 900
Traveling expenses-----	567, 000	567, 000	540, 000	—27, 000	—27, 000
Printing and binding-----	89, 000	89, 000	89, 000	-----	-----
Administrative Office of United States Courts:					
Salaries-----	242, 500	252, 537	243, 800	+ 1, 300	—8, 737
Miscellaneous expenses-----	39, 000	39, 000	24, 000	—15, 000	—15, 000
Total, Title II—The Judiciary-----	12, 503, 774	13, 067, 975	12, 401, 410	—102, 364	—666, 565
Grand total, Titles I and II—Legislative and The Judiciary-----	43, 826, 092	41, 804, 350	40, 659, 273	—3, 166, 819	—1, 145, 077

²³ Includes \$57,874 appropriated in Second Supplemental National Defense Appropriation Act, 1943.

²⁴ Includes \$23,000 transferred from estimates for National Park Service, Department of the Interior.

Mr. VOORHIS of California. May I ask the gentleman whether this change in reserve requirements would mean that when a bank purchases Government bonds it would not have to have any reserves to back the deposits which they give the Government under those circumstances?

Mr. STEAGALL. That is correct. It means that the bank will not be required to carry reserves against the Government's account, arising from the sale of bonds. That account is not large on the average. It is a checking account, as the gentleman understands.

Mr. VOORHIS of California. I know that. Would that not mean that the bonds which are purchased could be easily used as a means of establishing additional reserve in the banks for other lending purposes?

Mr. STEAGALL. Maybe so.

Mr. FORD. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from California.

Mr. FORD. Is it not a fact that the account that is set up by the Government in that bank is insured 100 percent by reason of the fact that they put up securities in similar amount?

Mr. STEAGALL. Oh, yes; that is correct.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. STEAGALL]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second sentence of paragraph (1) of subsection (h) of section 12B of the Federal Reserve Act (U. S. C., title 12, sec. 264 (h) (1)), as amended, is hereby further amended by substituting a colon for the period at the end thereof and adding the following: "And provided further, That until 6 months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress any balance payable to the United States by any insured bank, whether represented by a deposit account or otherwise, arising solely as a result of subscriptions made by or through such insured bank for United States Government securities issued under authority of the Second Liberty Bond Act, as amended, shall be excluded from the definition of 'deposit' for the purpose of determining the assessment base."

Sec. 2. The last sentence of section 19 of the Federal Reserve Act (U. S. C., title 12, sec. 462a-1) be amended by substituting a colon for the period at the end thereof and by adding the following: "Provided, That until 6 months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress no deposit payable to the United States by any member bank arising solely as the result of subscriptions made by or through such member bank for United States Government securities issued under authority of the Second Liberty Bond Act, as amended, shall be subject to the reserve requirements of this section."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record in two particulars and to include certain documents and tables.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

[The matters referred to appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

PRESS PERMITTED TO BE PRESENT AT FOOD CONFERENCE TO BE HELD ON APRIL 27

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I was very glad to note in the morning paper that Elmer Davis has decided to allow the press to be present at the food conference that is to be held on April 27. Original reports were to the contrary.

This conference will discuss matters of great interest and importance to the American people. They should be made cognizant with its proceedings through the newspapers of the country as well as over the radio. Certainly they will not have access to these proceedings unless newspaper reporters are admitted to the sessions.

This will be one of the most momentous gatherings the Nation has ever seen. I maintain that the public should be allowed to participate through the presence of the newspaper reporters. It is my understanding that someone at the White House recently told the reporters to lay off the delegates when they came. I insist that this smacks of star-chamber tactics. Just imagine, Mr. Speaker, what would happen if the public were denied knowledge of what is going on at the series of conferences that we know will be held in connection with post-war planning after victory has been won. The coming food conference would set an all-time precedent if the press should be banned from its meetings. I am glad that Uncle Elmer changed his mind.

PRICE CEILINGS ON LIVESTOCK

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROCKWELL. Mr. Speaker, I wish to read the following resolution, unanimously passed by the Joint Livestock Committee at a meeting held at Chicago, Ill., on the evening of April 2, 1943:

Whereas we recognize that many features of the meat-industry program for solving wartime meat problems as submitted to us today by the American Meat Institute are similar to the program already submitted by our group to the proper officials in Washington, and which are now partially in effect, and which tend in some particulars to make our previous program more effective: Therefore be it

Resolved, That the representatives of the 93 organizations here assembled, representing the producing, feeding, and marketing interests of the livestock industry, unani-

mously endorse the fundamental principles of the meat-industry program with the exception of that part which proposes the imposition of price ceilings on live hogs. We stand unalterably opposed to the establishment of price ceilings on livestock; we consider them unworkable, unenforceable, and tending toward the curtailment of production, as well as stimulating the development of black markets.

EXTENSION OF REMARKS

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a short-wave broadcast to the Netherlands.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

[The matter referred to appears in the Appendix.]

JOHN BOETTIGER

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, this little news item may have escaped the attention of some Members of the House. I give it to you without comment. An Associated Press story released from Seattle states that John Boettiger, son-in-law of the President, has been given a leave of absence from his duties as publisher of the Post-Intelligencer to join the United States Army as a captain.

LEGISLATIVE AND JUDICIARY APPROPRIATION BILL, 1944

Mr. O'NEAL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2409) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate proceed for 2 hours, one-half to be controlled by the gentleman from Indiana [Mr. JOHNSON] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 2409, with Mr. McGRANERY in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. O'NEAL. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, this is the legislative and judiciary appropriation bill. This is the entire amount of money required to run the legislative and the judicial branches of the Government. It is the housekeeping bill of this body and the Senate, and is the entire amount of money needed to carry on the operations on the hill.

I am very proud of the fact that this committee and the House and the legislative branch of the Government have tried to live as economically as is practical in these days of wild spending.

The committee has had the judiciary part of the bill only this year. Heretofore it was under the committee presided over by the able gentleman from Michigan [Mr. RABAUT].

Several new members are on our committee this year, but we have worked harmoniously and there has not been a man on the committee who has not been interested in the strictest economy in our own affairs. I think the bill justifies that statement. We were fortunate in having placed on this committee the gentleman from Florida [Mr. HENDRICKS], the gentleman from Tennessee [Mr. GORE], and the gentleman from Ohio [Mr. KIRWAN], and on the Republican side the gentleman from New Jersey [Mr. POWERS], the gentleman from Indiana [Mr. JOHNSON], and the gentleman from Missouri [Mr. PLOESER]. The gentleman from New Jersey [Mr. POWERS] was sitting with another committee and could not be in attendance at our sessions, and the gentleman from Minnesota [Mr. H. CARL ANDERSEN] substituted for him and furnished a great deal to the committee in its close examination of these items.

Mr. Harvey, the clerk of the committee, furnished the same type of careful study, interest, and ability as has been given to this committee before by Mr. Sheild.

I should like to tell you the story of this bill as briefly as I can. I cannot touch on all the items, and there is much in it that should be of interest to every Member of Congress.

The Budget estimate for 1944 was \$41,804,000, and the appropriations for 1943 were \$43,826,000. This bill for 1944 is \$40,659,000, so this bill is \$3,166,000 less than the 1943 appropriation and \$1,145,000 less than the Budget estimate. On an appropriation running around \$41,000,000, we feel that is a very sizable cut, especially when the bill had been trimmed in the past very carefully just as it has been this year.

In other words, we are operating on the Hill on a simple maintenance and operation basis, where no great changes are made, no great new costs for this or that improvement. We have even cut down a great many items of small amounts, which grow to a large total, such items as painting the dome of the Capitol. We have tried to be careful in our economy on every item of that kind.

I would like to explain to the House, just for the information of its Members, and particularly the new Members, that the Budget exercises no control over any of these items. The legislative appropriations go to the Budget, and they are sent immediately to us, without comment. The judiciary items go through the same process, and they may advise as to those items, except as to the Supreme Court. So that we are our own budgeting officers and our own appropriation committee. Under title I of this bill the legislative branch, the entire appropriation for what we have, that is, the legislative branch as distinguished from the legislative plus the judiciary,

is \$28,257,000. That is \$3,000,000 under the 1943 appropriation and \$478,512 under the Budget estimates. It is very interesting, with all of the spending that is going on in the United States to see what we are spending here on the Hill. The entire cost for the operation of Congress proper is only \$19,757,000 to the taxpayers of America. In addition to that, there is the cost of franked mail, which is less than \$1,000,000, and adding that to what this bill provides for the operation of the legislative branch, it shows that less than \$21,000,000 of the taxpayers' money takes care of all the expenses of the Congress, and every item that the taxpayer has to put out for the legislative branch of the Government. That includes the salaries of Members, the salaries of clerks, and every item honestly chargeable to the legislative branch, which is one of the three branches of the Government and it is operated for less than \$21,000,000 annually. Certainly this indicates that Congress is sincere in its desire to economize as to itself. I feel that this should be something of an inspiration to some of the bureaus when they find that all we spend up here on ourselves, including salaries, is less than \$21,000,000.

In the House of Representatives, as distinguished from the entire Congress, we appropriate \$22,000 more than in 1943 appropriations. One item of telephone and telegraph increases amounts by \$35,000, and except for that one item, we would have cut even that which we authorized last year. This year I thought we brought it to an irreducible minimum when we made the amount \$111,000 less than the Budget. There are no expensive additions to any item. Some increase comes through in this bill because of in-grade promotions and reclassifications, and matters of that kind. So far as the business of Congress is concerned, I am trying to make not only a report of the Appropriations Subcommittee, but something of a family report to you, to know what is going on up on the hill. We have a very competent disbursing clerk under the Clerk of the House, Mr. Shanks, and if you will turn to the hearings, you may see how carefully he has itemized every expense that we are making. And I think you will appreciate the fact that it is well managed and in good hands, and that is exemplified by the intelligent report of Mr. Shanks. There are about 1,900 employees, counting our congressional clerks on the Hill.

If Members have copies of the bill, I call their attention to the fact that the Senate items are first in the bill. The common practice has been that the Senate items are not touched by the House committee, except that we start every item from the 1943 figure or the Budget estimates, whichever is the lower. The Senate then goes into those items, and does what it chooses with them, and the bill comes back to the House, and we accept their action in that respect. There is reciprocity in that. The Senate does exactly the same insofar as the House items are concerned. We do not attempt to govern their appropriations and they do not attempt to govern ours.

The complete list of all salaries, the number of clerks, the number of employees, may be found in the bill. I shall not attempt to go into that because the bill speaks for itself, and you gentlemen can see what clerks are assigned to committees, and what the pay roll is; how much it costs. There is nothing there that does not speak for itself. I shall not attempt to go into that. We allowed one more official reporter of debates, simply because the volume is getting to be so heavy that we thought we must have another. That is one small item of increase. Under the contingent expenses of the House you will note they are set out in the bill very carefully. You will find in the hearings, which I shall not attempt to go into now, a full discussion of the dining room that is operated here in the Capitol, and the cafeteria in the House Office Building. Those are things that everyone is interested in. There is no secrecy about them. It is all in the hearings. I wish we could discuss it, because it is a real problem as all must recognize, and it is a difficult problem to consider on the floor of the House.

We allow \$5,000 for the Joint Committee on Revenue Taxation. This is not exactly as a reward for them, but I think that they need a little more tax assistance—I started to say advice, but I do not mean that, because I think they are highly competent. I am sure that this will help with the entire problem of taxation methods.

Under the head of Capitol Police we have a little change, which I think you ought to know. You will hear it discussed. Undoubtedly the Capitol Police have been a little underpaid and I would like to tell you how raises and changes are made in their case and that of other employees of Congress. The Appropriations Committee has not been in the past nor is it now inclined to make any increases or create any jobs other than as authorized by direct action of this House.

We have been importuned from many places to increase salaries, and many of them are out of adjustment; to make new positions—and possibly some are needed—but we have taken the position that the Committee on Accounts is the legislative committee for the legislative appropriations subcommittee. That committee must pass a resolution to bring it to the floor of the House before we will embody it in our bill. There are many changes that are needed. I think in the press and radio galleries some of the salaries are out of balance and should be adjusted, but it should be done upon the recommendation of the Committee on Accounts, and after a resolution has passed through the House.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mrs. ROGERS of Massachusetts. I have felt that the pay of the waiters in the dining room was small. There is a great shortage of waiters. I think many people coming from the outside feel that the Government pays the men adequately and do not fee the waiters.

Mr. O'NEAL. There is a difference of opinion about that.

Mrs. ROGERS of Massachusetts. It would mean we would have more service.

Mr. O'NEAL. There is a difference of opinion about that. I have tried to find out what the waiters make and in most cases it has been a very satisfactory return. We find the positions are really desired by the men who are working there, which is an indication that the return must be reasonably satisfactory.

Mrs. ROGERS of Massachusetts. Of course, there is a shortage.

Mr. O'NEAL. Of course, there is a terrible shortage. The shortage is due not only to that, but there are many other factors. It seems to me that much of the absenteeism comes from prosperity. Like the fellow who was asked if he wanted to make a quarter and he said, "No; I have a quarter." I think it is due to the fact that a lot of the men are doing very well and they will just miss a day here and there.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. H. CARL ANDERSEN. I am very glad our chairman has made plain to the House that we on this subcommittee did not at any time take unto ourselves the power that we felt belonged to the Committee on Accounts, the proper legislative committee that has to do with the allocation of personnel for the legislative establishment.

Mr. O'NEAL. I am glad the gentleman approves of that.

I would like to state that we have possibly a little legislation in this appropriation bill which is needed. I would like to read a little comment from the report on this bill as to the Metropolitan Police who are loaned to the Congress. Those men are sent here upon our request. They are a picked crowd and they are doing a splendid piece of work. They seem to have forfeited, or at least the District of Columbia police authorities look upon them as having forfeited, some of the rights they had before they came up here in the Hill. We are placing a provision in this bill which will correct that situation.

Reading from the report:

They are loaned to Congress and their cost reimbursed so the District may temporarily replace them for the duration. The men sent to the Capitol were very carefully selected, are seasoned officers, and were chosen because of their splendid records and years of experience. Such men should not be penalized by having their careers placed in jeopardy on account of being selected for a very important wartime work. In order that there may be no question as to their status in the Metropolitan Police upon termination of their detail to the Capitol, the committee has included a provision requiring that they shall have the same status with respect to rank, pay, allowances, privileges, and benefits during the detail and at the termination thereof as though such detail had never been made.

We feel that relief is only just to the men sent here, and we trust that provision will remain in the bill so that those men will not forfeit any of the rights that any other policemen on the force may have.

Under the head of "Architect of the Capitol," I think it would be interesting if you would read, on page 59, the duties of the Architect. You do not realize, un-

less you scan the hearings, that he has a tremendous job, not only the job on the Hill but in other parts of Washington, and I am sure he is performing those duties in a most satisfactory way.

I would now like to call your attention to the items for the Library of Congress. In my opinion, we have a very excellent, competent, and interested Librarian. It has been somewhat popular here to criticize the Librarian, but I believe the gentleman we have there is a scholar, a man of tremendous energy, foresight, and vision. In my opinion, we have the greatest Library in the world. This gentleman appreciates that fact, and I believe that if we will support him, within reason, in that which he has requested, this Library will continue to serve even a more useful purpose. I am sure that the vision and ability of Mr. MacLeish will accomplish much for the Congressional Library.

Now, I would like to call your attention to some of the work of the Library. I think this House should know more of it. In the first place, on page 110, in Dr. MacLeish's statement, he says:

A government library exists to render a service—an essential service—a service without which a modern government cannot operate effectively in peace, or, even more, in war. But a library is also a collection of books and other materials representing an investment of value.

Of course, this is primarily a Congressional Library. It was started for that purpose, for our use, in order to write better legislation. We have an excellent Legislative Reference Service over there which they are very hopeful the membership will continue to use, in order to make even a more thorough study of legislation.

As to the actual physical value of this Library, it might be worth while to note that even from a dollars-and-cents standpoint you have an investment there of great importance. For instance, the Gutenberg Bible sold for \$250,000, which the Library owns, just to give you an idea of a tangible estimate of some of the things the Library possesses. It has been estimated that the actual dollar value would be over \$300,000,000, but I think this is a ridiculously low price to put on the possessions over there. The Library is doing fine war work. One does not realize how much it is used by the Army, the Navy, and the other departments engaged in war activity. It is sending its maps out by the hundred, and today an institution that is looked upon by most people as a place where one may retire for quiet, peace, and pleasure, is actually an important part of the war effort and is making a very valuable contribution.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. O'NEAL. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, I want to call attention to another great business that has been provided for out of the money in this bill, the Government Printing Office. I hope some day all of you will go to the Government Printing Office and see a business the like of which is not to be found anywhere else in America. In 1940 the Government Printing Office did

\$20,000,000 worth of business; in 1941, it did \$28,000,000; in 1942 it did \$47,000,000; and in 1943 it is estimated it will do \$65,000,000 worth of business. They have 7,800 employees down there. The total number of employees in the Capitol is 1,900.

A great deal has been said about the spreading of Government printing business. Mr. Giegengack, a very splendid executive, has had this matter much in mind, and of the business which they did in 1941 they let out to commercial printers \$2,100,000 worth; in 1942, \$6,300,000; and in the first 8 months of 1943, \$18,400,000. This business was let out to 981 private printers in 41 States of the Union in a total of 8,800 different contracts.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. EDWIN ARTHUR HALL. Before the gentleman completes his statement I think it only fair to rise and compliment both him and his entire committee on the splendid work they have done in scrutinizing each of the items in this legislative bill. Certainly if every department of the Government followed the custom of the gentleman and his committee, I am sure the Budget would be a great deal more presentable to the people.

Mr. O'NEAL. The compliment is very much appreciated.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mrs. ROGERS of Massachusetts. I echo the sentiments of the gentleman from New York [Mr. EDWIN ARTHUR HALL]. I should like to ask how many of the personnel in the Congressional Library are now under civil service?

Mr. O'NEAL. They are classified but not under civil service; they have a classification in line with civil service, but they are not actually under civil service.

Mrs. ROGERS of Massachusetts. None of them are under civil service?

Mr. O'NEAL. I am not sure. Some who are paid from other funds may be.

Mrs. ROGERS of Massachusetts. They were not blanketed in?

Mr. O'NEAL. They are paid in accordance with the Classification Act.

Mrs. ROGERS of Massachusetts. I thank the gentleman.

Mr. O'NEAL. The amount of business done by the Government Printing Office is simply amazing; nothing like it was ever done before by a printing house. For instance, the rationing program and the stamp books. No such paper was made by any mill in America; they had to have a special paper designed, and they have printed 60,000,000 rationing stamps. Such a figure one cannot understand. They printed 190,000,000 copies of War Ration Book No. 1, and 150,000,000 copies of No. 2. That work had to be done rapidly.

Mr. Chairman, I wish there were time to go into many more items concerning the Library and the work of the Public Printer. Let me say in passing that all is not expense, it is not all outgo, there are returns from sales of Government publications by the Superintendent of Docu-

ments. This amounted to \$1,712,000 in 1942.

For the next 3 or 4 minutes I should like to speak about the judiciary items. The judiciary is living just as economically, I think, as the legislative department, and this bill appropriates for salaries and for the maintenance and work of the entire judicial system of this country, the judges and all the clerks. We had a group come before us requesting help with reference to the underpaid clerks of the courts. I shall not have time to tell you exactly how we worked it out but we did give, I think, quite a bit of relief to all the courts in this country as far as the clerks are concerned. They also requested help for the clerks to the judges and their employees. We met with the Committee of the Federal Judiciary, went into the matter carefully and suggested that they come back next year with their problem carefully studied and their recommendations agreed upon by all of them. There was some disagreement among even the judges. Next year we probably will bring to this House a much more complete report on the needs of the judiciary, but we did help them with the clerks in the courts and we did help them with clerks for the judges. That is itemized and carefully explained in the report which you have before you and I think it will give it to you in detail.

Mr. WALTER. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Pennsylvania.

Mr. WALTER. On page 55 I notice that in providing for the salaries of clerks of courts and the usual entourage, the committee has made it illegal to provide clerks and deputies in places that are designated as places for holding court.

Mr. O'NEAL. I was just coming to that.

Mr. WALTER. Does the gentleman feel it is within the province of his committee to write that type of legislation—and I ask the question because the Judiciary Committee has been studying this very thing for quite a while. We expect to report in the usual, orderly way a bill to eliminate the holding of court in certain places.

Mr. O'NEAL. I may say to the gentleman that quite a few of these small places were abolished in this manner. The statutes required that they be continued. The administrative officer of the judicial system stated that he did not need those offices and that they should be abolished.

Mr. WALTER. That is the thing certain members of the Judiciary Committee are afraid of, that the administrative officer could prevail upon an appropriations committee to do something that the legislative committee did not think ought to be done.

Mr. O'NEAL. I may say to the gentleman from Pennsylvania that these places are appropriated for by the legislative committee. The Council of Circuit Judges has an administrative director, Mr. Chandler, who stated that they had practically no business in these various places. They can still carry on court there, but he said we are still required by law to keep these places open where we do not need them. Why should the committee appropriate for such places?

Mr. WALTER. That is his opinion, but he is not basing it on anything except the report from a judge. It is entirely possible that some judges dislike going to certain places and they could very well represent to Mr. Chandler that they do not need to hold court in that place, and then you would follow Mr. Chandler's recommendations, despite the fact that there might be a very decided need for sessions of court at a particular time, and that section would be eliminated.

Mr. O'NEAL. If the gentleman will turn to the hearings, he will find those places are listed and it will show how often they sat during the previous year, very few of them as much as 10 days, most of them 1 or 2 days, yet we have to pay for them the entire year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'NEAL. Mr. Chairman, I yield myself 4 additional minutes.

Mr. MICHENER. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Michigan.

Mr. MICHENER. This paragraph brings out just one of the things that was feared when another bureau was created and an administrator of justice set up in his present luxurious quarters with a large personnel in the new Supreme Court Building. If the gentleman will permit, the very idea of that administrator coming before a subcommittee on appropriations, not familiar at all with the needs of the court, and inducing that subcommittee to introduce a provision in a bill such as this is ridiculous.

Mr. O'NEAL. The gentleman does not state the facts correctly. The gentleman is stating it in a prejudiced way. That is not correct at all.

Mr. MICHENER. I will illuminate my prejudice, then. Let us get the facts.

Mr. O'NEAL. All right.

Mr. MICHENER. The bill says that "the provisions of law requiring offices of clerks of court" in enumerated places throughout the United States—and a large number is listed—"are hereby repealed." Now, that is clearly subject to a point of order. It seems to me that the Representatives in Congress should have the right to go before the legislative committee if a court is to be discontinued in that Representative's district. A hearing should be held, which hearings are open, and the Members of Congress know about it rather than a bureaucrat functioning entirely as a legislative committee of the Congress.

Mr. O'NEAL. In the first place, under the Holman rule, this is perfectly in order and it is done many times on all forms of appropriation bills by way of retrenchment. The gentleman states that the gentleman from Kentucky knows this is not legal, but that is not the fact, because it is permissible under the Holman rule.

Now, to whom may we look as an administrative proposition with reference to the items under this bill for the judiciary? We look to the duly constituted authorities. There is the Judicial Council, composed of the senior circuit judges of all the circuits. They have worked with Mr. Chandler as the administrative director appointed by the Su-

preme Court. He is the man who knows the situation with reference to the judicial work of this country from an administrative standpoint.

Upon interrogation, not by voluntary information, and it is wrong to accuse Mr. Chandler of that, he told us, in reply to our question, "What about a lot of these places?" that they were not needed. The members of our own committee knew of places where they had to keep an office open. Being an honest man, Mr. Chandler told us the truth. He said, "This one is an office with 3 days of court a year, this one 10 days. They serve no necessary purpose, but we have to keep them open by law." Consequently, in the interest of economy and not to preserve something that somebody may want in his district just because it is a nice thing to have, the committee saw fit to cut down the items, and I do not see why anyone should complain.

Mr. MICHENER. I think I know much about Mr. Chandler's agency. I had much to do with setting it up and creating it.

Mr. O'NEAL. Are the facts which I have stated correct?

Mr. MICHENER. They are correct to this extent: The Congress set up this agency and now another bureaucrat is taking over functions that were never intended.

Mr. O'NEAL. I have heard bureaucrats mentioned. What is a bureaucrat? We jump on some little fellow down here in office doing the best job he can. He jumps on the underling in the office, the newspaper jumps on us, somebody jumps on the newspaper. The word "bureaucrat" to me is a difficult word to define, because it depends upon whose ox is being gored. I have some sympathy for the man who is trying to do his job, and must stand the criticism, more often unjustified than justified, by those who are not so well informed as to his problems and job as he is.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, it was a pleasure to serve on this subcommittee with the able chairman, the gentleman from Kentucky [Mr. O'NEAL]. I regret that the gentleman from New Jersey [Mr. POWERS] could not be with us on account of being engaged in another hearing.

All members of the subcommittee took an active interest in the hearings. Mr. Harvey, the committee clerk, rendered excellent service.

Mr. Chairman, I shall not take much time explaining this bill. The chairman has very well explained it in detail. I do not believe I could enlighten the House much more than what the chairman has said and what can be gained from reading the hearings and the report.

The bill is \$3,166,817 below the 1943 appropriation and \$1,145,077 below the Budget estimate. We have tried to write a bill using a degree of considered economy and still write a bill that would not hinder any function of government. I believe it would be well if the same rule of economy in appropriations were applied to the various governmental departments and agencies. I think it

could be done without lessening their effectiveness and most certainly it would save the taxpayers many hundreds of millions of dollars.

The chairman is very profuse in his praise of the administration of the Library of Congress. There are many things he believes in that connection in which I cannot join him, but I do not believe anything can be accomplished by discussing it here. Rather I think it should be taken up in the regular way in the committee. If I remain on this committee, I think that when the next bill comes up I shall go into that matter very carefully, and I am very hopeful of getting some good results.

This bill, taken as a whole, is not a particularly good bill, but it is not nearly as bad as it might be. In making appropriations we are working under a most peculiar system. Those requesting the money are the only ones who come before the committee attempting to justify the amounts they ask. They know the facts. Those on the committee are more or less forced to be governed by the opinions expressed by those coming before the committee to justify the appropriations. I believe that if we could get a real study made, even this bill could be very greatly reduced. I am very hopeful that in the coming months the investigators we have been authorized to employ will be put to work and will go through not only the agencies covered in this appropriation bill but those covered in all appropriation bills, to the end that we may establish order and efficiency in all Government operations.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield to the gentleman from Nebraska.

Mr. STEFAN. I am looking at page 8 of the bill, and wonder if a mistake has been made. In line 3 there is an item for 96 additional clerks at \$1,800 per annum each, and in line 5 there is an item for 96 additional clerks at \$1,800 per annum each. That would make 192 additional clerks at \$1,800 per annum each. Is there a mistake there?

Mr. JOHNSON of Indiana. I think that was in the previous appropriation. It refers to the Senate.

Mr. STEFAN. Would that make 192 additional clerks?

Mr. JOHNSON of Indiana. Not this year. I may say that the committee, following the precedent that I understand has been heretofore set, did not have hearings in any manner upon the items affecting the Senate. We wrote the bill as it was. We took whatever was the lesser figure—that in the previous bill or the Budget estimate—and inserted that. When this bill goes to the Senate, I presume, or I hope, at least, they will go through the bill as it affects them as we did on this side as it affects us.

Mr. STEFAN. I thought this referred to the House, but the gentleman tells me he does not know anything at all about this.

Mr. JOHNSON of Indiana. No; it refers to the Senate.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. CARSON].

Mr. CARSON of Ohio. Mr. Chairman, I take this opportunity to call the attention of my colleague to an article under date of March 30, 1943, appearing in the Christian Science Monitor. The title of it is "The Swollen White House Budget." It quotes a statement by Senator HARRY F. BYRD appearing in the New York World-Telegram to the effect that the White House executive staff pay roll under President Roosevelt, as of September 1, 1942, entailed a monthly outlay of \$2,999,460 for the employment of 726 persons in the District of Columbia and 180 persons outside. This does not include any of the emergency agencies set up under Executive authority, such as the Office for Emergency Management.

By contrast, the White House pay roll under President Woodrow Wilson, in July 1917, during the last war, contained the names of 48 persons and involved a monthly outlay of \$164,000.

Mr. O'NEAL. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, before proceeding may I take this opportunity to thank my good friend the gentleman from Kentucky [Mr. O'NEAL] for his courtesy in permitting me to address the House at this time to present a very important matter.

Mr. Chairman, on March 4, upon my return to Congress following a serious illness, I introduced House Resolution 148. The resolution is available to Members and, in effect, directs the Committee on Labor to make a full and complete survey of all labor conditions and labor-employer practices which affect or may affect the war-production program. The resolution was referred to the Rules Committee. I appeared before the Rules Committee by direction of the Committee on Labor to ask for a rule to bring the resolution before the House. Up to this date the Rules Committee has not acted upon our request.

Pending the authorization of the resolution by the House to conduct a complete survey, your Committee on Labor decided to immediately start hearings on the much-discussed problem of absenteeism. Many witnesses from important industries, representatives of labor, and representatives of Government were invited to appear before the committee to give us the benefit of their knowledge and experience in dealing with this problem and assist us in our attempt to appraise the causes of absenteeism and whether or not legislation would solve the problem.

Following almost 3 weeks of interesting hearings and much information, your committee has requested me to present a summary of our findings to the House. The full report will be printed and available, we hope, within a week or two.

INVESTIGATION OF ABSENTEEISM IN WAR INDUSTRIES BY THE HOUSE LABOR COMMITTEE

The committee held public hearings from March 12 to 30, 1943. The witnesses who testified represented a va-

riety of interests, industries, and localities. The witnesses who spoke for management came from some of the most outstanding war plants in the country. The American Federation of Labor and the Congress of Industrial Organizations were represented by witnesses from their affiliated unions in major war industries. The Government witnesses came from agencies primarily concerned with war labor and procurement problems.

The industries represented included aircraft, radio and electrical equipment, nonferrous metals, automotive, textiles, and shipbuilding.

Witnesses came from every part of the country, from southern California to Washington, from New England to North Carolina, from Illinois to Alabama.

Without exception these witnesses unanimously agreed that the most successful solution to the problem of absenteeism will come from management and labor, with assistance from government and community cooperation.

The solution, of course, must be based on a complete understanding of the problem. Current discussion has created the false impression that there is a large amount of willful absenteeism. Witnesses who spoke for management and those who spoke for labor unanimously agreed that willful absenteeism is negligible. Their testimony shows that the typical American worker is not the deliberate truant but the fellow who gets up early, shares his car with fellow workers, drives oftentimes from 10 to 50 miles to work in all kinds of weather, puts in a long day of work in an overcrowded workshop and gets home late at night, frequently to face additional responsibilities. The woman worker, who must carry her household responsibilities along with her job, deserves even greater credit. Many workers do not even have the elementary comforts of a home after work. They live in one-room shacks or trailers or sleep by shifts in "hot beds."

An attitude which blames "irresponsible workers" for production delays causes a natural resentment among the vast majority who are giving their best to war work. People close to war-production problems know that to date material shortages, not absenteeism, have been one of the most important factors in retarding output. Mr. Wendell Lund, Director of the Labor Division, War Production Board, inserted in the record this memorandum recently issued by the West Coast Council of Aircraft Manufacturers:

The conclusion of the Los Angeles area companies is that aircraft production has not been retarded in any important and widespread degree by absenteeism in our plants. There has been absenteeism representing a substantial number of man-hours, but it has not been a limiting factor. Materials shortages and imbalances has been the limiting factors. The Los Angeles area companies can find no facts to support the conclusion that had our absentee rate been lower than it was we would have built appreciably more airplanes than we did in 1942. This conclusion does not countenance unexcused absenteeism with its consequences of waste, but is an effort to define the

problem precisely for aircraft-production purposes.

Mr. Randall Irwin, personnel director of the Lockheed-Vega Corporation, reiterated this statement of fact, as did spokesmen for other industries. To create the impression that American workers are slackers when actually they are working hard under difficult conditions is not going to make it easy for labor, management, and Government to join in solving this problem. We need to offset this impression for the sake of unity in this country, and to keep the way open for voluntary cooperation to meet this problem as we have met so successfully many of our others.

Testimony indicated that in normal times absenteeism averages from 2 to 3 percent in most industries. The only accurate overall figures on the subject today are those developed by the Department of Labor, Bureau of Labor Statistics, which are limited to the shipbuilding and airplane industry. Witnesses, however, pointed out that absentee rates are bound to increase in wartime. The average absentee rate in England now is 10 percent, while a study of absenteeism in shipbuilding during the last war, in this country, revealed an average rate of 18 percent. Even so, spokesmen for some industries told the committee that some plants today have absenteeism so well under control that it presents little or no problem. In other words, preventive measures can be developed in plants locally.

Witnesses brought out that the greatest percentage of absenteeism occurs among workers previously not employed in industry. As our young men from 21 to 38, in the prime of physical health, enter the services, they are replaced in industry by people often physically under par, even handicapped workers, and by women with domestic responsibilities, which they must meet along with their jobs. As this group increases in the coming months, absenteeism will inevitably increase, unless remedies are applied. The size of the problem is indicated in part by Bureau of Labor Statistics estimates presented to the committee by the Secretary of Labor: two and three-quarter million woman not now in the labor force will be in industry by the end of this year.

Consequently, we have no time for false starts nor can we delay in meeting this problem. In developing corrective measures, management and labor need a yardstick to measure the success of their efforts. Any given plant should know its own absentee rates. Individual plants also need average figures for the industry as a whole to view their problems in perspective.

From all the testimony it has taken, the committee concludes that figures available today are not adequate. There is a wide difference in the definition of absenteeism on which records are based in different establishments, and therefore absentee rates in one plant are usually not comparable with those in another, even within the same industry and will vary in different sections of the country.

The Bureau of Labor Statistics figures for shipbuilding show a variation in rates from 2 percent all the way up to 20 percent. This variation indicates that causes of absenteeism vary widely from shipyard to shipyard, and management and labor in one shipyard has been more successful in solving them than in other shipyards.

No national figures are available. Very few industries are keeping absentee records. The Bureau of Labor Statistics has made studies on the only two industries to furnish information—shipbuilding and airplanes. The shipyard study covers April through October 1942. The absentee rate averaged between 7 and 8 percent. I quote from the Bureau of Labor Statistics:

Absenteeism is more prevalent in Atlantic and Gulf coasts than in other shipbuilding zones. Yards in the Great Lakes area reported the lowest rate of 3.1 percent in August and 4.2 percent in April. The Atlantic coast rates were the highest, averaging around 8 percent.

The range among the individual yards was very large. One-quarter of the yards accounted for more than half the absenteeism.

A study of absenteeism in 90 shipbuilding companies in the last World War showed that the rate at that time averages 17.8 percent over a 9-month period. That is more than twice as high as the rate of absenteeism today.

Airplane study just being completed for January 1943 shows that absenteeism averages 6.4 percent. It was highest on the Pacific coast with an average of 7.1 percent and was lowest in the midwestern district—Nebraska, Kansas, Oklahoma, and Texas—where the average was 4.1.

Testimony of witnesses from other industries indicates the same situation. Causes and success in remedying them vary, but there are certain general principles which are important in working out a solution through the voluntary action of management and labor, with Government assistance.

For example, poor scheduling and planning of production and labor hoarding were cited frequently by witnesses as among the most important causes of absenteeism. The worker who is told by management to slow down or lay off because parts or material that should have been available are not yet ready can hardly understand why he should maintain a good attendance record. And yet his time off may come just when he is suddenly most needed. The Government in awarding contracts and assigning production quotas should do all within its power to prevent such situations. It is also apparent that more effective planning on the part of management is vital to a reduction in absenteeism.

It was evident from the testimony that plants with good industrial relations had a head start in approaching the problem of absenteeism. Good industrial relations cannot be developed overnight or applied from the top by Government but must grow up in the plant through the responsible efforts of labor and management. Plants where union and management have developed good working relations have already had a great deal of success in reducing absenteeism through the joint efforts of these two groups.

Unfortunately real union management cooperation exists in comparatively few plants. Consequently any program to control absenteeism must go beyond the relatively small number of plants where sound industrial relations exist.

Witnesses repeatedly emphasized that the first step in reducing absenteeism is to discover, through record keeping, the underlying causes in a particular plant and then attack the causes, through local action in the plant. They emphasized that absenteeism is a human problem and must be dealt with by special attention to the human factor in production.

Here are some of the causes most frequently cited by the various witnesses:

Illness and industrial accidents cause the overwhelming majority of absences—from 50 to 75 percent, most witnesses agreed. These causes increase as more women, older workers, the less physically fit, the inexperienced, and the handicapped are employed.

Transportation problems result in another significant percentage of absences. Many workers travel from 10 to 50 miles to work in the morning and back in the evening. They have to depend on car pools. Cars break down and weather conditions make driving almost impossible.

Fatigue, arising out of long hours, increases accidents and illness. Workers who cannot stand the pace finally must take a day off to rest up.

Responsibilities outside the plant result in absences. Especially when hours of work are long, workers take time off to do their shopping, visit the doctor and the dentist, pay bills in cash, cash their checks, do household chores. Women are usually called upon to carry out the major part of their domestic duties even though they are working full time in a war plant. Lack of child-care facilities results in many absences. Because the number of existing nurseries where mothers while employed can leave their children is totally inadequate, these women usually have to resort to makeshift arrangements for care of their children, leaving them with a neighbor or relative or even free to roam the streets. Under such unsatisfactory conditions these women are bound to stay home from time to time, especially when children become ill, as is likely when they receive little care.

Poor housing conditions are important causes of absenteeism. Many of the so-called Monday-morning absences represent the extra time workers must take to spend a week end at home when they cannot secure housing facilities for their families near the plant. Often workers have to take time off to look for housing accommodations. Where families are living under unsanitary conditions in shacks and trailers, they frequently become ill.

Absence, resulting from these causes, is obviously beyond the workers' control, none the less such absences delay production, and every effort must be made to remedy the causes. Where the cause cannot be eliminated, management in some cases has authorized time off for workers, to prevent unscheduled absence and permit better planning in produc-

tion. In England, for example, women are allowed time off for essential household chores and even to visit family members on furlough from the armed services. Many of the causes of absenteeism, however, can be eliminated by local action in the plant and community cooperation.

For instance, many plants have reduced industrial accidents and disease by applying well-known prevention methods. They have lessened fatigue by special attention to working conditions. They have secured community cooperation in adjusting store hours, or even bringing shopping facilities into the plant. They have assisted workers in solving transportation problems. Communities have a very definite responsibility in helping to eliminate causes of absenteeism. The record of committee hearings contains a wealth of detail on methods of eliminating the causes of absenteeism. The real need is to make the experience of plants that have dealt successfully with these problems available to plants still trying to solve them.

There is still another group of absences which may be described as willful, where a worker stays away from his job for no valid reason. This type of absenteeism represents a negligible proportion of the whole and is most reprehensible. In peacetime such workers would be discharged. But with the present manpower shortages, every effort should be made to awaken these people to their responsibilities, to bring them up to steady performance, before taking them out of production. Witnesses testified on various techniques which have been used successfully in dealing with this group, and these techniques placed very little emphasis on punitive methods.

In the first place, these people must be made aware of the importance of their jobs to the entire war effort. Often workers feel that the product on which they are working is unrelated to the war effort. Many companies have helped to solve this problem by illustrating in posters, lectures, and company publications just how the material manufactured fits into the total picture of war production.

The worker must be made to realize that his absence is noticed by the company and should be required to report the reason for his absence. A good foreman or shop steward can impress upon the worker the need for steady performance. Many unions have been extremely helpful in dealing with this group of workers. Telephone check-ups and even home visits have been used successfully by many firms.

Disapproval of truancy must be emphasized by recognition of the steady attendance record achieved by the majority. Some companies have issued badges or buttons to workers who score perfect attendance or have devised other ways of showing them that their good work is appreciated.

The committee has no evidence that there are many truants in the group who have secured occupational deferments. The responsibility for securing deferment rests with management. Management would not be likely to request deferment

for the chronic absentee. Highly skilled workers—the only group who can secure occupational deferments today—are usually among the most responsible in the labor force. In any case, deferment is now subject to periodic review, and it is presumed that local draft boards consider the attendance records of such workers in granting extension of deferments.

The most serious aspects of the absentee problem arise, not among the men eligible for selective service, but in the group replacing them—the women, persons less physically fit, handicapped workers, and many others not accustomed to industrial life.

This country is only just beginning to realize the seriousness of the absentee problem, one that will grow in importance with the changes in the labor force in the coming months. The information that we have on the subject at present is for the most part inadequate. Consequently any legislation that we might draft at present to apply to all workers in war industries probably would not solve the problem. In attempting to reach the small group of willful absentees, it was the opinion of a number of well-informed witnesses before the committee that legislation might be interpreted as a personal affront by the vast majority of workers who are loyal to their country and devoting their utmost energies to war production. The committee condemns the small group of willful absentees. Your committee makes the following recommendations, recognizing that only by getting at the facts and dealing with the basic causes of absenteeism can management, labor, and Government solve the problem:

First. Industry should keep such records of absenteeism as may be necessary to enable the Department of Labor, Bureau of Labor Statistics, to determine the extent and causes of absenteeism. Undoubtedly the necessary figures can be secured through the voluntary cooperation of industry, just as the Bureau of Labor Statistics has already secured such figures for shipbuilding and the airplane industry.

Second. The Department of Labor should be directed to act as a clearing-house on ways and means of reducing absenteeism. On the basis of this information and material gathered by the Bureau of Labor Statistics, the Department should be authorized to recommend to management and labor representatives practical methods to reduce absenteeism in plants that have high absentee rates. The funds necessary to carry out these activities should be appropriated to the Department of Labor.

Third. The appropriate Government agencies should use every means possible for securing immediate action to correct causes of absenteeism arising in certain communities, such as bad housing, inadequate transportation, and lack of child care facilities.

Fourth. The Department of Labor, the War Manpower Commission, the War Production Board, and the Office of War Information should lay before the public the real problems involved in absenteeism, to clear up false impressions now current that American workers are

slackers. In this country we believe in giving credit where credit is due, and therefore we should recognize the contribution that American workers are making to war production.

Your committee proposes to investigate further the major causes of absenteeism, beginning with illness and industrial accidents, in an attempt to formulate more effective programs for dealing with these problems and upon completion of its studies will make its recommendations to the House.

We earnestly hope you will cooperate with us and vote for House Resolution 148 when it is presented to the House in order that your Committee on Labor may have full information on all of the problems confronting labor and industry concerned with war production.

Mr. VOORHIS of California. Mr. Chairman, will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from California.

Mr. VOORHIS of California. Mr. Chairman, I appreciate very much this informative talk which the gentlewoman from New Jersey is making, and from one point of view particularly, namely, from the standpoint of the average worker, who, after all, has been instrumental in giving us the greatest production in the history of mankind for this past year, and past months, and I do think it is most important that the Congress is considering fundamentally some of his own problems, as well as what the gentlewoman pointed out, some of the shortcomings of a few.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania, [Mr. DITTER].

Mr. DITTER. Mr. Chairman, it cannot be gainsaid that there exists among the people of this Nation a profound distrust in the competence and even in the sincerity of a large portion of the bureaucracy of Washington in the pursuit of the war effort.

There is a deep-seated belief that, with a fanatical zeal, many officials of this beehive of bureaucracy place the victory over our enemy in a minor place in comparison with their ambition for control and power and the promotion of ideological objectives, both of which hinder rather than help the prosecution of the war.

This view is shared by many patriotic Members of Congress on the other side of the aisle as well as by the Republican minority.

A few glaring instances of subordination of victory to vanity by bureaucrats have already been exposed. But much that goes on in Washington is cloaked in secrecy, hidden in star-chamber proceedings, and too frequently one of the "four freedoms" for which we are supposed to be fighting—freedom of the press—is but a bitter, muffled ghost haunting the press rooms of O. W. I. and the press conferences of the Executive department.

Unless and until our Federal Government buckles down to the job of winning the war and calls a halt to its campaign against free enterprise, this cancerous condition of distrust will thrive and grow.

Only today an astounding example of bureaucratic sabotage which is the basis of a lack of confidence in the national administration has come to my attention.

The matter concerns the Federal Power Commission, in patent collusion and collaboration with the Bonneville Power Administration, to force, under emergency war powers, an extension of Federal public ownership despite losses to the Federal Treasury.

The money and the amount of electric power involved in this case is small. But the abuse of power raises an issue that is fundamental and far reaching. It is entirely possible that the issue was raised in a matter involving so small an encroachment upon private enterprise—in terms of money—that the Commission hoped to establish a precedent by default.

The case in question arises out of a Presidential letter of September 26, 1942, to all war agencies requiring them to make their purchases of power from public or private sources at the "cheapest" rate consistent with "the fullest and most rapid progress." With this laudable objective the taxpaying public was in full accord, especially in view of the extraordinary wastes that have occurred in many other fields of the war effort.

The order was singular only in that electric power is the one vital war production commodity which has not been rationed, in which there has not been a shortage, and which has actually decreased in price to the consumer since the war began. This, despite the fact that on as many as 11 different occasions, the Federal Power Commission erroneously surveyed power resources of the Nation and erroneously predicted shortages which failed to appear.

On the basis of the President's letter of September 26, a Presidential directive was issued on October 22 empowering the Federal Power Commission to renegotiate any power contracts which appeared to be unreasonable and to order the delivery of power to war plants from the cheapest available source of generation, public or private, over such transmission and transformer facilities as were available, whether public or private.

Pursuant to this directive, the Federal Power Commission on February 15, 1943, ordered the Washington Water Power Co. to make available to the Bonneville Administration transmission and transformer facilities to service a Government hospital in the city of Spokane, with a load of 700 kilowatts, and to supply also facilities for the delivery of Bonneville power to Fort Wright, an Army camp, in the suburbs of Spokane, for a water pumping station requiring 500 kilowatts of power.

It is a matter of record that the Federal Power Commission had previously established as a reasonable minimum for renegotiation, loads in excess of 1,000 kilowatts. It is further established that the Federal Power Commission action to which I am referring was based on a request by the Bonneville Administration, although the latter agency then had a contract with the Washington Water Power Co. for exchange of power, by

which Bonneville agreed to take war-production loads higher than 750 kilowatts, leaving the loads smaller than 750 kilowatts to the private company. These facts show the Federal Power Commission was willing to violate its own rules and to vitiate the contract already entered into by the parties.

It is entirely possible that the Federal Power Commission sought out a picayune case on which to test its strength and establish a precedent in a matter, which a less public-spirited company would not have gone to the expense of challenging.

It so happens that the Washington Water Power Co., however, felt that the case was a legal milestone and demanded an open hearing here in Washington, a hearing which could not be legally denied under our Constitution.

The Federal Power Commission order of February 15 was predicated on emergency war powers granted to the Federal Power Commission under the Federal Water Power Act in section 202 (c). In view of the fact that the F. P. C. order made no contention that there is a shortage of electrical energy or facilities, and predicated their whole case on the so-called public interest, this section of the Water Power Act is worthy of study. Here is a typical instance of administrative interpretation and a twisting of the clear intent of Congress to further ideological aims far removed from the purpose of the legislation. The section of the act to which I refer reads as follows:

(c) During the continuance of any war in which the United States is engaged, or whenever the Commission determines that an emergency exists by reason of a sudden increase in the demand for electric energy, or a shortage of electric energy or of facilities for the generation or transmission of electric energy, or of fuel or water for generating facilities, or other causes, the Commission shall have authority, either upon its own motion or upon complaint, with or without notice, hearing, or report, to require by order such temporary connections of facilities and such generation, delivery, interchange, or transmission of electric energy as in its judgment will best meet the emergency and serve the public interest. If the parties affected by such order fail to agree upon the terms of any arrangement between them in carrying out such order, the Commission, after hearing held either before or after such order takes effect, may prescribe by supplemental order such terms as it finds to be just and reasonable, including the compensation or reimbursement which should be paid to or by any such party.

Meeting the emergency and serving the public interest are the declared objectives of the above statute.

In the present instance it was the uncontested contention of the company that there was no emergency, that the connections for service were already installed, that power was available by the simple manipulation of a power switch. The Federal Power Commission's justification invoking this cause, therefore rests solely upon the public interest objective.

The demand of the company for the hearing was reluctantly granted by the Commission. The reasons for this reluctance are obvious to anyone who has read the transcript of the hearing. The

conduct of the chief trial examiner and the attitude of counsel for the Commission are reminiscent of the famed Nazi trials before their so-called people's court.

The hearing was begun April 5 to determine whether the Federal Power Commission had made a mistake, acted too hastily, and was guilty of official incompetence in making its order of February 15. The judge was an employee of the Federal Power Commission itself, subservient to and controlled by the very officers whose conduct he was reviewing. The defending attorney was the counsel for the Commission. Here was a case where the Federal Power Commission went to trial before itself. It was in the happy position of being its own judge and jury. Does anyone here believe that the Federal Power Commission would return a verdict of guilty against itself? The bar of public opinion, however, is another matter.

It brings to the light matters which bureaucrats would prefer to have hidden.

The trial examiner apparently was apprehensive of the possible repercussions from this case from the outset.

At the beginning, he requested interested parties to consent to a closed hearing with public and press barred. His reason was, believe it or not, that military secrecy demanded the cloak of silence on the actions of the Federal Power Commission.

Now the truth of the matter is that Grand Coulee, Bonneville Dam, and the gigantic network of Government-built transmission lines are about as much a military secret as the Washington Monument.

The plans and programs, the system of streams and their normal volume of flow are readily available in public documents printed by the United States Congress. Elaborate photographs and maps have been submitted from time to time to Congress and are public documents. If the military intelligence of Japan and Germany is so underrated by Federal bureaucracy that they presume that such information has not long since found its way into the archives of enemy espionage systems, our Federal officials are guilty of an alarming naïveté.

It appears obvious that the alleged military secrecy was a ruse to suppress the facts and to gag the press.

As such, it was a cheap and cunning connivance to take advantage of wartime conditions to suppress the facts about an ambitious and dictatorial bureaucratic usurpation of power.

As to the hearing, I shall confine my remarks to two points. The first is the obviously discriminatory nature of the order and the second concerns itself with the theories of the Federal Power Commission as to what constitutes the cheapest electric power.

While the Federal Power Commission, pursuant to the President's order, is obligated to see to it that war projects be supplied with power from the cheapest possible source, the hearing brought out that the Commission has been winking at a number of flagrant violations of this order.

For example, the Commission dismissed at the hearing as irrelevant and immaterial to the case, the facts about the Clark County, Wash., public utility district.

Here is an astounding case of a political parasite sucking at the lifeblood of our war effort with the collusive knowledge of at least three Federal bureaus: the Bonneville Administration, the Federal Power Commission, and the Federal Housing Administration. Inasmuch as the President's directive of October 22 is intended to prevent such abuses, the Federal Power Commission must accept full responsibility for its continuance.

Here are the facts—and they went unchallenged by the Federal Power Commission:

The Clark County Public Utility District is located at Vancouver, Wash. It is a political dummy just like dummy corporations. Its physical assets consist of a little office furniture and exactly two—I said two—electric power meters worth not more than a few hundred dollars.

Located in Vancouver is a huge Federal Housing Administration project.

Bonneville Power Administration has run a high-tension power line along the north bank of the Columbia River from Bonneville Dam, 40 miles upstream, directly to and through the city of Vancouver where the power line crosses over to the city of Portland in Oregon. This dummy political corporation, the Clark County P. U. D., has a wholesale contract with the Bonneville Power Administration and a resale contract to the Federal Housing Administration to supply power to this F. H. A. project. It sits in between, arbitrarily, as a middleman rendering absolutely no service, and collects the difference between the wholesale and the resale price, a matter of some \$50,000 annually, which is diverted into its coffers. Who gets what from this kitty might make juicy reading. Suffice it to say that the army of lobbyists representing such public-utility districts here in Washington last summer appeared to have a pecuniary interest at stake.

Nor is this a single instance. The Umatilla County Rural Electric Cooperative buys power from Bonneville at wholesale rates, provides no service, and, as a middleman, collects the difference between wholesale and resale rates in the transfer of power from Bonneville to the United States Army Ordnance Dump at Hermiston, Oreg. At the hearing the Commission dismissed this fact as irrelevant.

It seems to me that there must be at least one committee of the House with power and authority to investigate these scandals, to find out what political proteges of the New Deal are secretly hooked on to the gravy train of this totally unnecessary war expenditure.

Inasmuch as the Federal Power Commission has outstandingly failed to use the instrumentality of the President's directive except as a weapon to destroy private enterprise, it is apparent that the people must look to Congress for relief from hocus-pocus deals like the Clark County P. U. D. and the Umatilla R. E. A.

When scandals like this can come out in an open hearing, can there be any

doubt as to the true motive behind the anguished efforts to gag the press by urging closed hearings on the grounds of so-called military secrecy?

I turn now to the second point to which I direct your attention in connection with the proceedings in the Federal Power Commission offices on Monday of this week.

You will recall that the February 15 order claimed no emergency as to power supply or power facilities in the invocation of Section 202 (c) and that the order is predicated specifically on the alleged "public interest" phase of the section in question. The whole basis of the order, according to the Federal Power Commission's order of February 15, is the claim that Bonneville power rates are—and I quote—"cheaper" than those of the Washington Water Power Co.

Counsel for the company presented evidence to show that 42 percent of its gross revenue from any contract from these two war projects would revert to the Federal Government as the normal corporate income surtax. He urged that in making a comparison of the sale of power by a Federal agency to another Federal agency, as against the sale of power from a private agency to a Federal agency, the factor of a return to the Federal Government in the form of taxation was a relevant and material fact in evaluating the ultimate cost to the Federal taxpayer and the Federal Treasury. The logic of such a position is inescapable. It cannot be dodged or evaded. "Cheaper" is a comparative term. Federal taxes must be taken into account if a just and fair and equitable comparison is to be made.

But listen to the Federal Power Commission through the words of its Chief Himmler as he sustains the objection by Commission counsel to the consideration of taxes as a part of costs when counsel for the company sought to introduce this evidence:

The tax laws of the country are necessarily very complex and there might be other considerations in the tax field that ought to be taken into consideration if we are going into that matter at all.

This Commission has no particular duty with respect to the levying and collection of taxes, certainly not as to the income tax. But the tax situation is very complicated. There are many kinds of taxes that all citizens and corporations necessarily have to pay in this day, and if we undertook to explore the ultimate effect of whatever we may do, within the scope of our jurisdiction, if we undertook to explore in each case the ultimate case of this action or that action upon the tax receipts of the Treasury, we would get entirely out of our own province, complicate our adjudications in an appalling and confusing sort of way, and perhaps even then fail to take into consideration all the ramifications and involvements that might adhere to the statement of a proposition as to the amount of taxes you have to pay or the amount of taxes that might be saved if a certain course were taken by this Commission in the exercise of that jurisdiction which it does possess.

The presiding officer's view about that matter is that the Commission will stay within its own field and not wander out in remote and far explorations of what the consequences in the field of Government taxes may be of any action which it may take.

I have no authority to speak for the Commission, but, so far as this presiding officer is concerned, he deems it proper that we stay within our own field, and only that is relevant and admissible in evidence which goes to the determination of the question which is before us, by the standards that lie within that field where we have our jurisdiction.

I will give you an exception. I thought I knew your theory that you had in mind, and what you have said shows that I was correct about that. I do not say that your argument does not have some force, but I think that the best judgment about the matter—at least the best judgment that this presiding officer is competent to give in the matter—is against going into that matter which is outside of our field. We will have to take matters as they are now and make our determinations from the facts that lie within the field where Congress has delegated authority to the Commission. We can't follow it out and beyond and find out what the remote and ultimate fact may be in other respects.

Only in the obscure precincts of a Federal commission dedicated to rule by men and not by law could such a Federal officer commit such a weasel-worded evasion of inescapable truths.

In effect, this people's court trial examiner obediently followed the New Deal party line. Any jack-legged sophistry to justify New Deal objectives, whether they be right or wrong. Forty-two percent of the private enterprise contract would be returned to the Federal Treasury in taxes. But, in passing upon the question of which rate would be cheaper, tax-free Bonneville power was decided upon as the cheaper without any consideration whatever of the tax factor.

By this ruling, the Commission serves notice on private enterprise that the tax laws of the country are too complex for it to take into account in reaching a decision. It arrogantly announces that a comparison of costs can be made—that a fair and just and equitable conclusion can be reached without giving any consideration to an item representing 42 percent of the gross revenue of one of the parties before it. The private company's revenue is depleted by more than two-fifths as a result of Federal taxation, and yet this quasi judicial body refuses to permit the introduction of evidence to prove the fact. Can such conduct be conducive to a confidence on the part of our people that personal rights and private property still enjoy the protection of the law?

By this ruling, the Commission takes the position that the subject of Federal taxation—what a private company may pay to the Federal Government—is, to use the words of the Commission, outside of its field. Why, I ask, make a hollow mockery—a sham—a masquerade of a public hearing by a ruling such as this? The Commission is to hear the facts—all the relevant and material facts to an issue—and yet it rules that what becomes of 42 percent of the revenue of one of the parties to that issue is so remote that the Commission cannot follow it. I submit, this is authority running riot.

I shall not detain the House with additional pertinent points which would add even greater emphasis to the case against the Federal Power Commission.

It is sufficient to say that the Federal Power Commission, by the record of its own hearing, did three things:

First. It tried to gag the hearing;

Second. It has winked at open and scandalous violations of the President's directive of October 22; while

Third. At the same time it has persecuted a private utility in forcing it to accept a contractual violation of its written agreements with the Bonneville Administration by a double talk refusal to take cognizance of the very vital element of Federal taxation in considering the cheapness of a power rate.

If, as, and when the Federal Power Commission and other Federal agencies discover that winning the war is more important than socializing America in the guise of national defense, this administration will find the same whole-hearted support for its domestic policies from the people that it has found in the people's support of its bona fide military activities.

Mr. O'NEAL. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, I might very easily be able to take the time allotted to me to pay my deep and abiding respect to the very efficient and genial chairman of this subcommittee and his colleagues on that committee. My brevity at this point should not be interpreted as any lack of appreciation. I appear before you at the direction of and with the authority of the Committee on Revision of the Laws. At its direction I submitted a request for an item to permit of the substantive revision of titles 18 and 28 of the United States Code, titles dealing with the Criminal Code and Criminal Procedure and the Judicial Code and the Judiciary. The need for that substantive revision is conceded by the Appropriation Committee in its report. The history of the development of those two titles of our Code will also, I think, justify our coming before this committee in an effort to continue the work that the Committee on Revision of the Laws has been doing for the last several years. The first attempt to revise the statutes of this country took place in 1874, and there was no further attempt between that time and 1911, when the Judicial Code was revised by a temporary commission. The Committee on Revision of the Laws has been trying during the past 5 years conscientiously to preserve the structure of the United States Code, upon the theory that in that way, and in that way alone, will the people of this country, will the bench and the bar of this country have any way of determining the extent and scope of the acts enacted by the Congress. That committee is inadequately staffed to do the job. We must appeal to you to give us the means to discharge a responsibility that has been ours since the creation of the committee in 1864. We must begin now to carry to its ultimate conclusion the slogan which our committee has adopted for its work, namely, "Making the laws understandable is as important as making the laws." If we are permitted the opportunity to

proceed with the work we started in 1939, we should be doing a service to this body and to the country that will live as long as the country lives. We are a standing committee of this House. Here is our duty. We see that duty, we recognize the need, and we ask you for your cooperation.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. KEOGH. In a moment. There have been sporadic, temporary attempts to revise the laws of this Nation. There have been temporary commissions set up from time to time. The very bill we are considering today carries two items, one for the Office of the Legislative Counsel in the sum of \$83,000 and one for the Joint Committee on Internal Revenue Taxation in the sum of \$65,000. This latter item deals with only one of 50 titles in the United States Code. Quite obviously no one committee can have a comprehensive view of the code structure itself, and unless you afford our committee an opportunity to do the work that has long been recognized by the Judiciary of this country, by the American Bar and other State bar associations, and by the Judiciary Committee of this House, you will be continually adding confusion to the present state of our laws. I propose at the proper time to offer an amendment to reinstate the item that we have requested. I hope between now and then the members of this committee will be good enough to look at the hearings on this bill. I have inserted a statement setting forth in detail the scope of the work that we propose to do. This work will be the first step in the establishment of a permanent framework of legislation within and around which all new and amendatory legislation may be intelligently coordinated, integrated, and interrelated. We ask you for your serious consideration. We approach this problem very philosophically. We have been given this job to do by the House under its rules. All we ask you for is the means to discharge that responsibility. I am confident that the committee will agree with us.

The CHAIRMAN. The time of the gentleman from New York [Mr. KEOGH] has expired.

(By unanimous consent, Mr. KEOGH was granted permission to revise and extend his remarks.)

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I am very much disturbed by the failure of a lot of the bureaucrats to support the war effort. By the way, they are doing everything they can to waste the substance of the United States of America on frivolities and on things that should not be done.

I have previously called attention to many of the propaganda activities of the O. W. I., including the "Tarzan" life of Roosevelt. Today I am going to call attention to another one of the activities of the O. W. I. which does not even rise to the height of propaganda but sinks to the low level of the worst type of waste of public funds.

I have here a nice picture book. It is called John's Book. It has blue crayon and red crayon. Inside it says:

This book was thought up by a boy named John. He lives right in the middle of the United States of America, on a farm where wheat grows as far as he can see. John loves all the American planes, because they are big and fast and powerful. He loves the ships of the Navy, too, big ships and little ships.

Over here are the stars that you always see on the publications that are gotten up by writers who are of a communistic trend, all ready for the red crayon to go on it.

That, Mr. Chairman, was sent to the soldier boys in Hawaii in place of mail from home. I suppose that the gang of bureaucrats who are wasting the people's money thought that the soldier boys would like "this nice picture book," of a type that might be appreciated by a 3-year-old, better than they would get letters from home.

Now, is it not about time these bureaucrats stopped betraying the trust that has been placed in them? Is it not about time they stopped wasting the money that has been entrusted to them to spend, and use that money for the war effort and for the victory that we hope will come? Such a performance as this not only destroys confidence in the Government on the part of the soldier boys who receive such things but it is a disgrace that the Congress has appropriated funds for such wasteful and ridiculous performances. It is a waste of paper that is said to be in great need. It is a waste of crayon. It is a waste of plane space and ship space that is required to transport such things.

I hope that when we come to write appropriation bills for these bureaucrats in the days to come this House will remember how some of them have been wasting it and will cut out the money for these things so that they cannot do it any more. Let the Congress keep faith with the people, even if the bureaucrats are betraying them.

Mr. DOUGLAS. Will the gentleman yield?

Mr. TABER. I yield.

Mr. DOUGLAS. Do you not think they might have a kindergarten over in Hawaii?

Mr. TABER. I suppose that is the kind of people they are catering to.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, this bill carries about \$8,450,000 for the Government Printing Office.

Some time ago, while at home, representations were made to me by members of the Boston Allied Printing Trades Council in reference to conditions connected with Government printing and the Government Printing Office, which were characterized as deplorable.

I was advised that the workers at the Government Printing Office had received no increase in wages for many years.

I was advised that these workers had been denied the right to collective bargaining under existing law.

I was advised that money appropriated for printing and binding for the Department of Justice was in fact being used under waiver to undermine labor and wage standards built up in the printing industry.

I was advised that printing let under waiver to private firms outside of the Government was being let to a favored few regardless of the ability of others to do first-class work at a real saving to the Government.

What possible justification can there be for a hypocritical policy on behalf of the Federal Government which purports to seek improved labor standards from private industry while refusing to measure up to those standards itself? What possible justification can there be for a policy by the Federal Government which denies its workers rights guaranteed by law and which discriminates against one specific group of workers?

There can be no justification.

Earlier in the week, the House passed legislation granting increases in wages in view of the increased cost in living to almost all Government workers. Workers at the Government Printing Office were not included in this legislation.

Way back in 1924, the so-called Kiess Act, approved June 7, 1924, provided for the determination of wage rates by what amounted to collective bargaining. I am advised that while it is true that the Public Printer has held conferences with a committee representing these workers over a considerable period of time, these conferences were arbitrarily terminated by the Public Printer, all attempts of the workers to reopen the conferences or to bargain collectively having been ignored.

Some time ago I brought to the attention of the Attorney General the fact that the cost of printing for the Department of Justice was some 37 percent less than it would have been had the printing been done in the Government Printing Office, together with the protest of workers in the printing industry to the effect that the funds appropriated for printing for the Department of Justice were being used to undermine the labor and wage standards built up in the printing industry. Particular emphasis was laid on alleged deplorable conditions in connection with printing for the Department of Justice by a contractor in New York City. The facts appear to be admitted. The Attorney General simply says he can do nothing about it under existing law and that he has no suggestion to offer in the matter.

Such inquiry as I have been able to make tends to confirm the charge that printing let to private concerns under waiver has been let to a favored few concerns even though substantial savings could be realized to the Government by letting to others equipped to do a first-class job.

I urge, Mr. Chairman, that the Joint Committee on Printing or some other appropriate committee of this House examine into all these and related matters

in connection with Government printing and the Government Printing Office at the earliest possible moment. I urge it in the name of economy and in the name of justice to the workers at the Government Printing Office and throughout the printing industry.

(Mr. WIGGLESWORTH asked and obtained unanimous consent to revise and extend his remarks.)

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I do not like to be critical of the O. P. A. at all times, but occasionally there comes to my desk a letter from a constituent that is expressive of sentiment that I believe is to be found throughout the country and which should be called to the attention of the Congress and the country. People are looking to this Congress for some relief.

This particular situation I intend to discuss is very, very interesting to me, and I know there are a few others in this House to whom it ought to be of some interest. The O. P. A. is not only regulating almost everything under the sun that we eat and wear and use, including profits, but they have now issued an order, limitation order L-64, providing regulatory sizes for burial receptacles—for caskets. Thus, it appears that the long arm of bureaucracy is reaching out to regulate and control the grave. I read that order with some apprehension, not that it would make any difference to me after I had passed on, but because I am presently a little bit worried about my mortician and about the difficulties that may confront my family. The O. P. A. has issued an order limiting the size of caskets, the inside dimensions, to 6 feet 3 inches. Now, Mr. Chairman, I stand 6 feet 4 inches. I know a few others here who stand more than that. I do not know what they propose to do to my remains in order to get me into one of these O. P. A. coffins. I suppose they will have to cut off my feet. That is the only way I can figure it out. Is that not a bright future that we overlength fellows face?

Mr. BREHM. Will the gentleman yield?

Mr. KEEFE. I yield.

Mr. BREHM. Perhaps it is part of that program, "from the cradle to the grave."

Mr. KEEFE. Well, it no doubt is. They may be determined to even cut down the size of cradles—at this time, however, I am thinking of some other Members of this House I happen to know, some of large girth, some of great height, who should also view this recent order with alarm.

Think of the other dimensions and then look over some of your friends. The inside dimensions under this order are 22 inches in width, 17 in height, and 6 feet 3 inches in length. Now, I know a considerable number of people in this House, as well as many around the country, who are oversize, and I am wondering just how they are going to push them into that kind of casket. I wonder how they are going to get the lid closed if they do succeed in squeezing them in

there. I am looking at one Member right now. They could get him in for length but I do not know how they are going to take care of the width. They might be able to squeeze him in, but if they squeeze him in one way the lid would pop off the other. And here we have a bunch of O. P. A. people issuing such a regulatory order under the guise and theory that they are going to save lumber—going to save lumber by cutting down the size of burial receptacles. Oh, yes! Now, to be perfectly fair to them, permit me to say that the order does allow the casket manufacturers to make 10 percent of their products in larger sizes in any one calendar quarter. Suppose, however, that I happened to die toward the end of the quarter when the large-sized caskets had all been used up; they would have to preserve me some way and keep my remains until the next quarter. Of course, they could get me in a casket by cutting my feet off, perhaps.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I am happy to yield to the distinguished gentleman from Indiana. I will say to the gentleman that he was on my mind.

Mr. LUDLOW. I just wanted to say I am 6 feet 3. I wonder where I come in under this.

Mr. KEEFE. When I came across this order, having great solicitude for the distinguished gentleman from Indiana, I am frank to say I was very much worried.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. H. CARL ANDERSEN. Mr. Chairman, I yield 5 additional minutes to the gentleman from Wisconsin.

Mr. KEEFE. This may seem a little facetious and funny, and it would be if it were not so serious. I wonder if these fellows down at the O. P. A. understand that trees grow and that loggers go out and cut trees down and that millers saw them up into lumber and that the lumber goes to these concerns, and that then they cut that lumber to size to make caskets. They may have a little clipping off the end that may be 3 or 4 inches long, but what difference does it make, it just goes into the scrap or into the fires and is burned in these mills. They are not saving anything; they are not saving a thing.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. FLANNAGAN. I believe the O. P. A. is going to dehydrate the 6-footers.

Mr. KEEFE. They may dehydrate us but that will not have very much to do with length, and it is the length I am worried about. I may be perfectly dehydrated and they may be able to get me insofar as width is concerned, but I am worried about that length. That, however, does not seem to be a thing they are worried about; they think they may save a little lumber and thus upset and disturb the casket industry but add further torments to the people of the Nation. I think it is one of the most ridiculous and ill-advised orders ever to be issued by this bureau.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. SHAFER. Some one over the radio last Sunday night made the observation or the suggestion that they change the name of the O. P. A. to "O Pee-U."

Mr. KEEFE. May I just read a couple of paragraphs from a letter received this morning from one of the finest, most progressive, and liberal-minded manufacturers in my district? He says:

Wage-and-hour laws, labor-relations laws, social-security laws, confiscatory-tax laws, and the matter of completing myriads of governmental forms, reports and requisitions—many of them duplications during a time when office and clerical help cannot be secured—are all things a conservative American in business can stomach. The latest however, causes me to spout. War Production Board Order L-64 dated March 3, 1943, is an example of substituting totalitarian methods instead of American methods. Order L-64 is a new method of providing a regulatory size of burial receptacles without taking into consideration the size of the human body, both male and female, and the geographical, physical, and climatic conditions which control their size. Casket sizes are reduced by this order from practical dimensions to impractical dimensions. Regulations regarding extra or larger sizes are injected which are nonsensical. Provisions are made that 10 percent of our product may be made in larger sizes in any one calendar year quarter. If that 10 percent limitation were reached at the end of February, any full-sized adult dying in March would have to wait until April for a casket. Under this order, you and some of the members of your family, as I remember them, would require extra size caskets, the regulated inside dimensions being limited by this order to 22 inches in width, 17 inches in height, and 6 feet 3 inches in length.

Reducing casket sizes will not contribute in any way toward winning an unwelcome war. Saw mills cut lumber according to the length of the logs, the result of the natural growth of trees. We buy the lumber the saw mills cut and recut it to the size for our product. If the cuttings are one, two, or three inches smaller, no saving of lumber is entailed; instead we have one, two, or three inches more to burn in our boilers.

Mr. Chairman, what are we going to do about this situation? The gentleman from New York has just told you. I have stated it repeatedly on the floor of this House: We must as a Congress do something about it besides just talking, and finding fault. I believe the distinguished gentleman from New York has again properly sounded the alarm. He is a member of the deficiency subcommittee of the Appropriations Committee. He again says that we must see to it that the people's money is not appropriated and spent for the carrying out of such orders as this. Mr. Chairman, I am in accord with this sentiment.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. H. CARL ANDERSEN. Mr. Chairman, may I ask how the time stands?

The CHAIRMAN. The gentleman from Minnesota has 8½ minutes remaining.

Mr. H. CARL ANDERSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Chairman, I had on my mind using a little more time, but I will use this 5 minutes to bring to your attention something that has not been talked about.

I understand the Military Government School at Charlottesville was set up by Executive order, and supervised by a board appointed by the President. It has come to my attention, as I indicated this morning, that the President's son-in-law was given a captaincy and sent down there to be trained for the overseas service, which he indicates he wants to go to hurriedly, trained to rule over conquered countries. That is the purpose of the school. It is all alarm to me. Possibly it is all right, maybe in matters of foreign affairs, that the Committee on Military Affairs can work this out, and perhaps the rest of us are all too stupid to question some of these things, but it all dovetails into the recent effort to make a brigadier general out of our former colleague from New York, Mr. LaGuardia, and send him overseas to rule conquered countries in some way.

It is all kind of funny. Here is a school down there created by Executive order, to train men to rule conquered countries. The son-in-law goes down there as a captain. In 3 months he will be a lieutenant colonel and he will be going overseas. That is very personal. LaGuardia was very personal.

It worries me that anyone thought of all of this so far ahead, in our fight for defense.

You will forgive me if I make a reference to something that was terrible. Admiral Kimmel was advanced over 49 line officers to the top command in the Pacific in January, 1941. It is terrible to think of it. But that is the personal government. Whose representatives are they going to be? Are they going to be the representatives of the United States, or are they going to be the representatives of the President of the United States, from in the family, or from the inner circle, like the mayor of New York has been all along? Those things alarm me, and that is what I wanted to say in this short time.

Mr. MAGNUSON. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Washington.

Mr. MAGNUSON. I hope that the gentleman is not reflecting on the patriotism of Mr. John Boettiger in getting into the United States Army?

Mr. LAMBERTSON. I do not reflect on him at all, not a bit more than I did the four boys when I talked about their preferential treatment. God knows they did not give it to themselves, and John Boettiger did not give it to himself. He did not get his captaincy from private life himself. A lot of men have misunderstood me when I talked about preferential treatment. It is not the boys themselves or the son-in-law that gives it. Somebody gives it to them.

Mr. MAGNUSON. The gentleman does not think for one moment that a man of the stature of John Boettiger, leaving the position he left and having the place in the public mind that he did and in

private life in my city, is getting much more than is due him when he is given a captaincy in the Army? I can take the gentleman down to the Pentagon Building and show him clerks in the Department with lieutenant colonel insignia on their shoulders.

Mr. LAMBERTSON. How many of your constituents have they made captains? Every captain should have been a lieutenant.

Mr. MAGNUSON. All kinds of them, and many of them with nowhere the ability of John Boettiger.

Mr. LAMBERTSON. And that is the thing that is helping to ruin the military service and the public morale. There are hundreds of Regular Army career officers, with medals awarded to some, with from 10 to 30 years' service, under 60 years old and physically fit, drawing 75 percent of their pay and not even permitted to serve, through some unexplainable policy of the War Department, yet captains are continued to be made from private life.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield the balance of our time to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, I want to use this time to commend the members in the majority of the subcommittee as well as my colleagues in the minority for the splendid fashion in which this committee has conducted its hearings and for the splendid progress which they have made in reducing the appropriation of over a year ago.

We have succeeded in reducing the appropriation more than \$3,000,000 under that of a year ago and we have succeeded in reducing the appropriation below the so-called Budget estimate by over \$1,000,000. The subcommittee unfortunately did not have the services of the distinguished ranking minority member, the gentleman from New Jersey, Mr. LANE POWERS, at this particular time because of his arduous duties as a member of the subcommittee of the Appropriations Committee investigating the Dies committee charges.

I want to particularly compliment the gentleman from Indiana, Mr. NOBLE JOHNSON, who served as our ranking member for the minority and the distinguished committee chairman, the gentleman from Kentucky, Mr. EMMET O'NEAL, who led the committee in its expeditious work.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

In all, clerical assistance to Senators, \$1,156,800.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, since we are considering the legislative appropriation bill, I wish to bring up a matter that I believe is vital to Congress.

Within a short time the representatives of more than 30 nations will meet here in Washington to consider an inter-

national monetary proposal. I happen to be on the Committee on Coinage, where we have something to say about \$22,600,000,000 worth of United States gold. A few days ago our committee and members of the Committee on Foreign Affairs and the Committee on Banking and Currency met with Secretary Morgenthau, at which time he outlined the American plan for setting up an international bank. Mr. Morgenthau said it was his desire that Congress should pass upon this question. He felt that it was necessary to have additional legislative authority. He very frankly told us that he wanted to keep Congress informed as to what was being done.

There is a difference of viewpoint among financial experts in the world on the international monetary problem. It appears that certain countries want to get control over this new financial group, and we have our ideas here in the United States as to who should have control. In view of the fact that Congress will be called upon to approve legislation to perfect this organization, or to consider the matter, it seems to me it would be highly advisable for the Speaker of the House to appoint a committee of at least 10 or 12 members from the committees which I have named so that this congressional committee could sit in on all monetary conferences that are held when the experts meet in Washington. I believe we are entitled to have the benefit of all discussions taking place within the group, and I therefore expect to offer a resolution within the course of the next day or two calling for the appointment of a House committee to sit in on the conference.

One of the main reasons why I think we should have full and complete information is that the United States will be called upon to make the largest contribution to the proposed international financial organization. We are dealing with the people's money, and as their Representatives it is our duty to see that the money is properly safeguarded in every respect. We shall not be able to legislate intelligently unless we have all the facts before us. That is why I feel we should have a group from Congress sitting in on the international conference, not necessarily to take part in the deliberations, but to get the viewpoint and knowledge of secret agreements that are often made in such conferences.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. CRAWFORD. Does the gentleman agree with me in the thought that there must necessarily follow the legislation which covers the stabilization agreement providing for the stabilization of foreign currency; additional legislation providing for the creation of what we might term a Western Hemisphere bank or an all-over international bank with branches for the Western Hemisphere, Europe, and Asia, so that that bank may proceed to furnish the necessary credit to maintain the internal economy of the respective countries, and through the maintenance of that internal economy prevent the breaking down of the currency stabilization plan attempted to be carried on by the stabilization fund?

Mr. AUGUST H. ANDRESEN. I agree with the gentleman. If we are to pursue the course outlined in the Atlantic Charter, in the "four freedoms" arrangement, in the master lend-lease agreement, and are called upon to do the principal part of the financing for rehabilitation of the world, I think we should be fully informed on all matters relating to the understanding between the leaders of the different participating nations. We should not act without such information.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. SCOTT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I take this time chiefly to say that I agree very heartily with what the gentleman from Minnesota has said. We had an opportunity to hear Mr. Morgenthau. What I expect to say will have reference to his public statement given to the press subsequently.

It will be recalled that the Secretary of the Treasury in discussing his plan mentioned that no nation would have a vote greater than 25 percent, but that the United States would be expected to contribute to the total fund for stabilization purposes a figure which will be 40 or 50 percent of the total amount required for that purpose.

We are going to put in most of the gold. We are going to stabilize the business dealings of the world after the war, if we can. I think some sort of stabilization is necessary. I am glad it is brought forward at this time. I think we ought to support it as far as we can. But I think that one thing this House ought to bear particularly in mind, and one thing we ought to follow most closely is that provision that 80 percent of the total voting power of the member nations will be necessary in order to adopt certain features of the plan, or to make certain undisclosed changes in it. We are not told as yet to what features the veto power refers. I think what the gentleman from Minnesota has said is very cogent and quite pertinent, because we need some committee from this House for the purpose of determining that the United States shall have a veto power wherever necessary to protect its contribution and its gold which will be required if this stabilization fund is going to work.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. AUGUST H. ANDRESEN. Does the gentleman think it would be out of order for a committee from Congress to ask to sit in on these conferences?

Mr. SCOTT. In my opinion, it would not. I think such a committee ought to be given an opportunity to sit in. We ought not merely to be invited to send an observer, a single person. I think such a committee is most important and most desirable.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. CRAWFORD. May I ask the gentleman if his mind is running along with mine in this respect? If I understand the general approach, this is for the purpose of stabilizing international currency in order to facilitate the transfer

of goods between the nationals of the countries involved.

Mr. SCOTT. So that the nations of the world may be able to do business according to some well-recognized rules after the war.

Mr. CRAWFORD. That has to do with the stabilizing of international currencies for international trading purposes.

This is what I want to ask the gentleman. Has the gentleman had time to think through this proposition sufficiently to reach a conclusion in his own mind as to whether or not such a stabilizing plan can be made effective if any country involved fails to stabilize its own currency internally? Do I make myself clear?

Mr. SCOTT. Yes, the gentleman does. I would not undertake to be an expert or to answer that question upon any such assumption, but I can say that is one of the very reasons why such a committee should be formed from the Congress to sit in on these conferences. I make the further observation there that if any nation through internal revolution should depreciate its own currency, the fat would be in the fire.

Mr. CRAWFORD. I think that factor lends the greatest support to what the gentleman from Pennsylvania and the gentleman from Minnesota have recommended in connection with a committee from this body.

Mr. SCOTT. I agree with the gentleman.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. AUGUST H. ANDRESEN. Some of the international banking plans proposed contemplate that this international banking group shall have the power to devalue the money in any country. The gentleman may read such power into the plan proposed by Secretary Morgenthau.

Mr. SCOTT. I prefer that this country shall have control of the value of its own currency, and that that veto power shall be very clear.

Mr. AUGUST H. ANDRESEN. We could not very well surrender power over our own money to some international group without first having the Constitution amended?

Mr. SCOTT. No. The founding fathers provided wisely in putting control over the Nation's currency in the hands of the people's representatives, and we could not give that power away, even if we would.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The Clerk reads as follows:

Revision of laws: For preparation and editing of the laws as authorized by the Act approved May 29, 1923 (1 U. S. C. 59), \$8,000, to be expended under the direction of the Committee on Revision of the Laws.

Mr. KENNEDY. Mr. Chairman, I rise in opposition to the pro forma amendment. Because in a short time we are going to vote on this bill (H. R. 2409), which provides expenses for the payment of our salaries, I think it might be well to bring to the attention of the House a bill that has been introduced by the gentleman from Texas, Representative

SUMNERS, H. R. 1198, which would move up the day of general election 1 month. I wish to have you consider this bill because the newspapers are carrying stories about an abbreviated campaign as one of numerous news stories in connection with the coming election. By the time of the election we will have more than eleven or twelve million men in uniform, spread all over the world, and it will be necessary to make some provision to give those men an opportunity to be heard in the coming elections. Such a provision would be the advancing of the date of election. We all know that the brevity of the campaign has nothing to do with the time necessary to count the votes. Unless we abbreviate the campaign, I am afraid that we will be disfranchising several millions of men. Certainly if there ever was a time in the history of this country when all of us, and especially men in uniform, should submit ourselves to the electorate, this is the time. We have passed the legislation that put them there. We ought to give them an opportunity to express their views as to candidates for public office, and unless we make this provision I am afraid that unintentionally we will be shutting out the voices of 11,000,000 men, vital voices who have an active interest in what this Government is going to do, especially in view of post-war planning, that vital planning that contemplates a security for mankind from the cradle to the grave. I believe that we ought to give serious thought to this bill, and if we do I am sure we will join with the gentleman from Texas [Mr. SUMNERS] in bringing about its passage.

I have talked with a great many men in the armed forces. During the past election I talked with many men and women who did not have the opportunity to vote. I am convinced that we will have stained the record if we come to find some congressional district having as few as 50,000 or 60,000 votes cast, at a time when many thousands of men from that same district are in uniform. These men of the United States armed forces are not getting a proper chance. They represent a substantial force of our adult population; they are very important men and women in this country, and we should do everything in our power to extend to them the privilege of suffrage, which belongs to them. Remember, this is nothing that we are giving to them. We should assure them a right and opportunity to vote at the coming election. I am not talking about the candidates one side or the other. Those issues will settle down and be voted upon by the people, but I think it is up to us to adjust the election machinery so that the men in our armed forces will have a chance to vote.

While we are voting salaries for ourselves, we might as well prepare ourselves for a complete examination at the hands of the voters. Some of us may find that after the next election we will be returned to private life, but be that as it may, let us be men enough to take this step today, to bring about suffrage for every single man and woman in uniform.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Clerk read as follows:

Revision of laws: For preparation and editing of the laws as authorized by the act approved May 29, 1928 (1 U. S. C. 59), \$8,000, to be expended under the direction of the Committee on Revision of the Laws.

Mr. KEOGH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KEOGH: On page 26, after line 17, insert:

"Revision of the laws: For preliminary work in connection with the preparation of a new edition of the United States Code, including the correction of errors as authorized by the act approved March 2, 1929 (45 Stat. 1541), fiscal year 1944, \$100,000, to be expended under the supervision of the Committee on Revision of the Laws."

Mr. KEOGH. Mr. Chairman, the purpose of this amendment is to carry into effect the unanimous action of the Committee on Revision of the Laws, about which I spoke during the course of the general debate. The primary purpose of this immediate request is to permit of the substantive revision and recodification of titles 18 and 28 of the United States Code, comprising those titles of the Criminal Code and Criminal Procedure and the Judicial Code, and the Judiciary. I should like to point out that the last time the Judicial Code of this country was revised was in 1911, and it was done under the direction of a temporary commission, at a cost of approximately \$230,000. That temporary commission ceased to function upon the completion of its work, and since then there has been no attempt to correlate any subsequent acts of this Congress nor any of the decisions of the courts affecting existing law. The Rules of Civil Procedure, which were promulgated under the direction of a committee appointed by the Supreme Court, cost approximately \$135,000. The Rules of Criminal Procedure, which are presently being prepared, will cost approximately \$80,000 on completion. Your standing Committee on Revision of the Laws is asking you now to give to it the means whereby it may properly discharge the responsibility that is this House's and the Congress'; a responsibility running to the country and to the bench and bar generally. We are ready to do the work, we are prepared to do it, and come to you experienced in this particular work. In 1940 we supervised the preparation of the edition of the District of Columbia Code and of the United States Code.

The District of Columbia Code was prepared for the first time in the history of this country as a completely annotated edition of the code. Your committee did that work at a cost of only \$32,500. Unless this legislative body begins now to integrate the work of all standing committees in a manner that the people of this country may more easily and more quickly know the purport and extent and scope of our laws, we will simply be adding continually to the confusion that now exists. We are ready to do the job and we hope for and ask for your support in performing that very necessary task, a task that has been

recognized as most necessary by all leading jurists, by the outstanding bar associations of this country, and by the American Bar Association as well. By vesting in us the authority to do this work you will be giving to the preparation of your laws continuing control, not with respect to the substance but rather with respect to the form. We shall not invade the jurisdiction of any standing committee of the House, but we will simply make more understandable the laws that are enacted. We say to you in all seriousness that making these laws understandable is just as important as making the laws themselves.

I ask and I certainly hope that this amendment will prevail. The Appropriations Committee has recognized the need for this work in its report. I ask you if you will be good enough to refer to the report on this bill as well as the hearings. I am sure you will be able to convince yourself that this job must be done and must be done now. Our committee can and will do it for you in the manner in which I know you want it done.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. KEOGH. I yield.

Mr. MAGNUSON. How much is the gentleman asking for?

Mr. KEOGH. The hearings support a request for \$110,000. My amendment calls for \$100,000, of which approximately \$85,000, it is estimated, will go for the bulk of the editorial work that is necessary. The remainder will be reserved for the necessary supervision by our committee.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. KEOGH. I yield.

Mr. COCHRAN. Can the gentleman tell the committee whether or not he has an estimate from the Bureau of the Budget on this item?

Mr. KEOGH. Being an item in the legislative appropriation bill, the gentleman from Missouri knows better than I do that the Bureau of the Budget makes no recommendation with respect to any such items.

Mr. COCHRAN. The Bureau of the Budget makes a recommendation when asked to do so.

Mr. KEOGH. We have complied with the regular procedure, but the gentleman knows that the Bureau of the Budget makes no comment with respect to the legislative establishment nor to appropriations therefor.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. O'NEAL. Mr. Chairman, I rise in opposition to the amendment. It is my purpose to explain the action of the committee. Frankly, although I am going to vote against the amendment, I would like to submit to this House whether or not they want to engage in this work.

The gentleman from New York, chairman of the Committee on Revision of the Laws, is a highly respected Member of this House. He is extremely interested in the work of the Committee on Revision of the Laws. He made an excellent presentation of his cause to our committee. The committee recognized

that it was probably, some day, a worthwhile job to be done, and possibly it is needed right now, but the committee did not take action on it, first, because when the amendment suggested by the gentleman from New York [Mr. KEOGH] was proposed it was subject to a point of order, in the opinion of the committee. It has been changed in such manner now that it is probably not subject to a point of order. The committee questioned whether or not even such an important work as this might not better be deferred until a little later, possibly until the war emergency is over. Rightly or wrongly, the committee questioned whether directives and practices on the part of various executive agencies, affecting the law during the period of the emergency, would change the legal situation in many places. Certainly, as I say, they were much influenced by what the gentleman from New York [Mr. KEOGH] has said.

Mr. KEOGH. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. Yes; I yield.

Mr. KEOGH. I should like to remind the gentleman of a fact which I am sure he knows, that all this temporary legislation which we are now passing to meet the present emergency, being temporary legislation, is not a part of the code and, therefore, would not affect the objectives of our committee.

Mr. O'NEAL. It seemed to the committee that directives that affect the law during this period might have some place in some new preparation of codified law, showing that it does not have any particular importance or bearing upon the permanent legal situation.

The committee heard the gentleman. They recognized the need for the work. They did not want to spend \$100,000 or \$110,000 for it. They questioned the desirability of hiring some private concern to do it, where later, by publishing an annotated code, they might get the benefit of it, but recognized that the job should some day be done. Knowing the ability and the competency and the integrity of the Committee on Revision of Laws, the committee decided to submit it to you whether or not you wanted to authorize this additional expenditure of \$100,000 at this time. Therefore we submitted it in this way.

Mr. HENDRICKS. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. HENDRICKS. I am a member of that subcommittee. As I recall, we did not vote on this matter in the subcommittee, or we did not turn it down on the merits of the cause, but at the time, as I recall, we discussed the question as to whether it was authorized by law. At that time we did not feel it was authorized by law, but since the amendment has been drawn differently I believe the chairman will agree with me, we felt it was in order. I just wanted to make it clear that the committee did not vote on the merits of the amendment.

Mr. O'NEAL. The committee did discuss the various phases of it, both as to whether or not it was admissible, and other matters.

We bring it to you. We are not willing, as a committee, to put it in this bill. I

think perhaps the committee members will vote against it, but we believe the work is highly important. It cost \$100,000, and we wanted this Committee of the Whole to decide whether or not we would go ahead with this expenditure at this time.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. KENNEDY. I am sure the gentleman is not unmindful of the fact that yesterday this House voted to spend four and one-half million dollars on South America, which I think is very worthy.

An amendment was adopted in the Committee of the Whole reducing it a million and a half, but when we went back in the House the million and a half was reinstated. Is it not the opinion of the gentleman that work of this sort right at home for this small amount of money may certainly be as important as the million and a half that we added on yesterday?

Mr. O'NEAL. The gentleman from Kentucky thinks we ought to save wherever we can save.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. WALTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I respectfully point out to the House as a sample of the type of work this splendid committee on the revision of the laws performs, the codification of the laws of the District of Columbia. All of the Members have probably seen this work and I trust they have all examined it. If they have I am sure they will agree with me that no finer or more thorough job of the sort has ever been done.

Now as to the amount of \$100,000, while we are always guilty of plugging up these little leaks around the spigot, I suggest that we could find \$100,000 very quickly by dispensing with the services of say 20 of these \$5,000 a year members of the bar of which there are so many in the employ of the Government today. You will note that I described them as "members of the bar" because I would not dignify them by calling them lawyers.

This work must be done at some time. Not since 1911 have these titles of the codes been revised or properly codified. I know of nothing more unsatisfactory than to look at the code and thereafter wonder whether or not the law one read was the law of the land at the time one looked at it.

By adopting this amendment you will be rendering a great service, not only to Members of Congress but to the judiciary and the lawyers throughout the Nation who are certainly entitled to know what the last pronouncement is.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. CASE. Let me say to the distinguished gentleman from Pennsylvania that, as a lawyer, I am in complete accord with the statements he has made and with the statement made by the distinguished gentleman from New York, the chairman of the Committee on Revision of the Laws. I believe this amendment

should pass, and I am perfectly satisfied in my own mind that it will meet a long-felt need and what has become an absolute necessity for the legal profession of this country and the judiciary.

Mr. WALTER. After all, the lawbooks are a lawyer's tools, and today our tools are very rusty and in many instances have broken handles.

Mr. JOHNSON of Indiana. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, this matter was most ably presented to the committee by the gentleman from New York and the committee gave it serious thought and I will say serious discussion. I believe we can agree there is some need for work of this kind. I believe, however, that it should not be undertaken at this time for several reasons. One of them is that all the money we have in this country that is available ought to be expended upon the war effort and not for work of this kind that we have been getting along without, and can continue to get along without. In the second place, we are ruled today largely by rules and regulations issued by the departments and by Presidential directives, and I want to know how in the world anybody who is attempting to recodify laws can keep their work up and checked so as to be on time with the various changes in the rules, regulations, and Presidential directives, and what would this work be worth after the war is over, which we hope will not be long, after these temporary laws, these rules, these regulations, and these directives have been set aside, are no longer enforced, and Congress begins to legislate and we go back to a government of laws instead of a government of men and rules? I think the work ought to be undertaken when this emergency is over—when the job can be done right.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. WALTER. I call the gentleman's attention to the fact that rules, regulations, and directives, never find their place in a code of law.

Mr. JOHNSON of Indiana. If they do not they will be of no value because of the fact that the rules, regulations, and Presidential directives are taking precedence and are largely governing the people today. That is the reason why we should wait for the appropriate time to do this work.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. RABAUT. Am I in error or am I correct in the idea that in the full committee the statement was made there was no prejudice against this on the part of the committee but they thought they would let the House decide the matter?

Mr. JOHNSON of Indiana. If there was any such understanding I do not know.

Mr. RABAUT. I do not mean understanding; I said those words were used when this matter was taken up. That is my recollection.

Mr. JOHNSON of Indiana. I do not know. I do not remember any such

words. It was brought up and we did not put it in the bill.

Mr. PLOESER. Will the gentleman yield?

Mr. JOHNSON of Indiana. I yield to the gentleman from Missouri.

Mr. PLOESER. The chairman of the subcommittee made that expression, as I remember it, in the committee and he just made it again on the floor of the House. There was no such position taken either by the whole Committee on Appropriations or the subcommittee.

Mr. JOHNSON of Indiana. That is my understanding.

Mr. GIFFORD. Will the gentleman yield?

Mr. JOHNSON of Indiana. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. Should there not be some possible comfort for the lawyers in having it remain a confused code because so often certainly they are able to better protect their clients by confusion? That seems to be very often their best weapon.

Mr. JOHNSON of Indiana. Perhaps that is the case.

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'NEAL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes, 5 minutes to be used by the gentleman from Minnesota [Mr. H. CARL ANDERSEN] and the balance to be divided between the three gentlemen standing.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. O'NEAL]?

Mr. HINSHAW. Mr. Chairman, reserving the right to object, the gentleman from Pennsylvania [Mr. KUNKEL] has been seeking recognition for 5 minutes before this request was made, and the gentleman from Minnesota has been substituted. I think the gentleman from Pennsylvania [Mr. KUNKEL] is entitled to 5 minutes as well as the Member of the legislative committee who favors this amendment on the minority side.

The CHAIRMAN. Does the gentleman object?

Mr. KUNKEL. Three minutes is all I need.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. O'NEAL]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, may I give a little illustration of a happening in the full Committee on Appropriations the other day to illustrate my viewpoint as to why we should not, with all deference to the gentleman from New York, accept his amendment? We are in a war for survival. It is needless for me to tell you that. You all know it. Is this spending of \$100,000 at this time essential to our war effort? I say, "No."

I am not attempting to tell the profound legal fraternity of this House whether or not this recodification is necessary. I am inclined to agree with the learned lawyers who support this

amendment that this work will be necessary to perform. But is it necessary today? Is it vital enough now to use manpower so badly needed elsewhere? Mr. Chairman, this work and expenditure of \$100,000, I feel can help to fill up the reservoir of jobs we must provide for our returning soldiers after this most horrible of all wars is over. Also, the woods will be full of members of the legal profession seeking new positions after having been turned loose from the soft berths in governmental agencies. Let us keep jobs such as this as a cushion for unemployment, following the war.

Just the other day in our Committee on Appropriations there came before us an amendment offered by the gentleman from Georgia [Mr. TARVER] seeking to reprint 400 1942 yearbooks for distribution by each Member of the House. As a farmer I would very much like to have 400 new yearbooks, and by the way, the 1942 yearbook is a very superior work, but I took the same position that day as today and voted against and helped to defeat that amendment in committee. Those yearbooks are not necessary today. They are not essential to the winning of this war. Those yearbooks represented to me a bomber which we could better send across the seas. They represented to me something just like this proposed recodification. We would like to have them, but now is neither the time nor the place for such expenditure of our taxpayers' money. The cost of printing and labor has skyrocketed. Newsprint is hard to obtain. To me, every man employed on any such project represents one less who should and could be on a farm helping to produce the food so much needed today.

Our subcommittee has worked long tedious hours so as to cut this bill down \$3,000,000 below the last year's appropriation. Will you not aid us in preserving these savings and stand up and vote down the pending amendment, which seeks to add \$100,000 to the total of the bill? One hundred thousand dollars is a lot of money back in Minnesota. Here, dealing in billions, we are apt to lose our perspective.

I again repeat, Mr. Chairman, that this amendment has much merit but it cannot pass the acid test which should be applied to all appropriation bills in this dark hour of war: Is it necessary and will it help toward achieving victory?

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Chairman, this proposition admittedly has been very necessary for the country for years and years and years. There has not been any codification made since 1911, as the distinguished gentleman from New York will confirm.

Mr. KEOGH. That is correct.

Mr. KUNKEL. During that whole period it has been generally admitted by members of the bar and everybody else who has studied the subject that it is essential that this be done. It has been postponed and postponed and postponed. If we are ever going to start, we should start right now.

We are starting in a very modest manner under this proposal. We are only trying to codify two of the codes, the one on the Judiciary and the Criminal Code. If those two codifications work out satisfactorily, as the members of the Committee on the Revision of the Laws feel sure they will, then, of course, the Congress can decide whether it wishes the other codifications made.

I also want to stress very strongly that the Committee on Revision of Laws, as I get the history of it, has favored this for many years back. At this particular time it is the unanimous opinion of both the majority and the minority members of that committee that the work should be started and undertaken at once. I feel that this is a job, if we want to start upon it, which will result in performing a service that will last for generations and ages. Of course, future revisions will have to be made, but we will have laid the groundwork for something that will be of permanent and lasting value to this Nation for all time to come.

With that in mind I urge the members of this committee to follow the counsel and advice of the distinguished gentleman from New York [Mr. KEOGH] and vote for this minor appropriation of \$100,000 so that the work can be started and undertaken immediately.

Mr. COLE of Missouri. Will the gentleman yield?

Mr. KUNKEL. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Is it not a fact that most lawyers now use the United States Code annotated rather than the Government code?

Mr. KUNKEL. Yes; but that is relatively imperfect.

Mr. KEOGH. Does not the gentleman realize that the body of any code must conform with and follow the body of the official United States Code?

Mr. COLE of Missouri. That is true, but the U. S. C. A. has a very good, complete index.

Mr. KEOGH. The Official United States Code has precisely the same index.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from South Carolina [Mr. FULMER] for 4 minutes.

Mr. FULMER. Mr. Chairman, I was very much interested in listening to the splendid addresses delivered by several of the distinguished Members of this House, all of whom are lawyers. The thing that flashed through my mind, although the amount involved in this amendment is rather small, was whether or not this might have something to do with inflation. If you even mention the word "farmer" on the floor of this House, you hear over the radio and see in the press, especially the large commercial papers of the country, "Oh, that will bring about inflation. You are destroying the consumers of the country." But when you get an item up here, small or large, in which these distinguished lawyers are interested, and they constitute a great majority of the Members of the House, it does not make any difference about how many billions we have to spend to win this

war, it does not mean anything about bringing about inflation.

Seriously, Mr. Chairman, there are many things that should have been done in the past and that we should do in the future. There is many a program we have had in the past because of the serious situation of the country, involving unemployment, and the condition of the farmers, who have not had during the past year a square deal because they are not organized and are helpless in having to accept whatever they are offered for their products and on the other hand have to pay monopolistic fixed prices for practically everything they buy. I warn that we had better cut out some of these programs and some of these appropriations and put your minds on the winning of this war, the greatest struggle ever in the history of this country. If not, we may regret spending money when that spending can be delayed to some other time, perhaps after this war when, no doubt, we will be called upon to spend millions to give employment to millions of unemployed people.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, if we still have a democracy, then let us reason rationally together. This amendment does not affect the legal profession. It affects 130,000,000 men, women, and children. It saves millions of dollars and useless appeals not only to the circuit court of appeals but even to the Supreme Court of the United States because lawyers are not able to find the law as they would be able to, if the laws were properly revised and codified.

I speak with some authority on this matter because I have had some experience. I took a vacation for 2 years and I tried some cases. I know that both the legal profession and the judiciary half of the time cannot find the law under which a case is being brought or tried because they do not have time to go through the various parts of the Code, in which you find the laws scattered all over, not codified but arranged in an imperfect and illogical condition.

Therefore, let us not talk about inflation. I shall join my friend from South Carolina some day on that subject. He is absolutely right. We talk about everything else but the subject under discussion. We have here an amendment dealing with \$100,000. Why worry, \$1,000,000,000 is only a molehill to us. It is about time that we do something constructive, and this is one of the constructive measures. After that we will go one step further and do something constructive for agriculture and give it 100 percent parity. Then we will be doing what we ought to do.

Something was said about rules and directives. Rules and directives are based upon the laws we pass. If we have been silly enough and foolish enough to pass these laws under which the rules and directives are made, do not take it out on the people who are trying to get justice in the courts. That was not their mistake, it was our mistake. Again, I shall help you to correct those mistakes if you will get busy and do it.

The revision of our laws will also help the farmers. Most of the litigation in which I took part during the last 2 years related to farmers in distress, farmers whom the Government forgot. They took their property without consulting them and then demanded that they take what the Government offered them or take nothing.

It is about time that the courts have an opportunity to know where to find the law and how to find it and what the law is, which they cannot do when they have to search all through the code for it.

In conclusion, I say let us reason together. This is not a party issue, this is an American issue. Every lawyer on that committee, Republican and Democrat, saw the need for this revision. The excuse originally given by the committee that we did not have authority is wrong. Anyway, it has been amended so that there is no room for objection. I congratulate the able members of the Subcommittee on Appropriations on leaving this an open question so that the House can decide for itself what it wants and what it does not want.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. The gentleman was speaking about \$1,000,000,000 meaning nothing, and saying that we should not have any concern about that. I think it is about time we begin to think about these \$100,000 items if we are going to keep this Nation of ours from going bankrupt.

Mr. LEMKE. It is about time you think more about the billions you are and have been giving to foreign countries, and be more willing to protect the American people in their property, in their lives, and in their liberty, especially if it takes only a measly little \$100,000.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. KEOGH].

Without objection, the Clerk will again read the Keogh amendment.

There was no objection.

The Clerk again read the Keogh amendment.

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 103, noes 67.

So the amendment was agreed to.

The Clerk read as follows:

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, \$2,542,900: *Provided*, That the positions of deputy clerk of the United States district court at Springfield, Mass.; Cumberland, Md.; Statesville, N. C.; Big Stone Gap, Va.; Charlottesville, Va.; Key West, Fla.; Victoria, Tex.; Del Rio, Tex.; La Crosse, Wis.; Batesville, Ark.; Harrison, Ark.; Creston, Iowa; Ottumwa, Iowa; Chadron, Nebr.; Grand Island, Nebr.; Hastings, Nebr.; McCook, Nebr.; Norfolk, Nebr.; Minot, N. Dak.; Grand Forks, N. Dak.; Jamestown, N. Dak.; Moscow, Idaho; Bellingham, Wash.; and Pueblo, Colo., are hereby abolished and such provisions of law as require offices of clerks of courts to be maintained at such places are hereby repealed,

but this proviso shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Mr. O'NEAL. Mr. Chairman, I move to strike out the last word. I rise to call attention of the Committee to page 55 of the bill. This is the item which in general debate was discussed, relative to the abolition of certain positions in the Federal judiciary system. The testimony before our committee was to the effect that practically no business was being done where clerks were hired at certain places and where offices were maintained. That was the position, not voluntarily given, but after the committee questioned the administrative officer of the court. He stated there was practically no business being done there, and we could see no reason in the world why we should not abolish clerkships where there was no business being done. If gentlemen will turn to pages 29 and 30 of the hearings, they will find the testimony about this matter.

The paragraph beginning on line 17, page 55, is a provision that is clearly authorized by the Holman rule, and I think we can sustain it against any point of order. As to the positions beginning on line 12, page 56, the paragraph beginning with the words "The provisions of law" the testimony was that these offices are not needed yet could be filled. We put this provision in which we think is subject to the point of order. I am moving to strike out the last word at this time to announce that when we reach the paragraph beginning on line 12, page 56, I shall ask unanimous consent to strike that provision from the bill, and then I shall offer an amendment which is clearly within the Holman rule, which merely provides that no money appropriated in this bill shall be used for the purpose of maintaining those offices. As I stated, they are not being maintained now. There is nothing to be gained by letting them go on. We think it would be well to strike that out, and in offering this unanimous consent request, we remove language which could have been ruled out on a point of order. Therefore, I ask permission to strike from the bill the paragraph on page 56 beginning on line 12 and ending on line 25.

Mr. CASE. Mr. Chairman, I reserve the right to object. I think that the gentleman cannot make that request until the paragraph has been read, and I was listening very intently to the Clerk and I do not think it has yet been read.

Mr. O'NEAL. Then I announce to the committee that at the right time I shall ask unanimous consent to strike from the bill the paragraph beginning on page 56, line 12, and ending on line 25. If that consent is given, then I shall offer an amendment which will accomplish the same purpose.

Mr. MICHENER. Mr. Chairman, I reserve the right to object. That is the section to which we had the colloquy on the floor?

Mr. O'NEAL. That is correct, but I say to the gentleman that we had a colloquy with reference to two sections. I misunderstood the gentleman. I

thought he referred to the section preceding this, but he was referring to the section now under discussion.

Mr. CASE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. STEFAN. Mr. Chairman, I reserve the right to object.

Mr. WALTER. Mr. Chairman, a parliamentary inquiry. To what point has the Clerk read?

The CHAIRMAN. Down to line 11, on page 56.

Mr. WALTER. Mr. Chairman, I make the point of order that the material contained in line 20, page 55, down to the end of the paragraph on page 56, line 11, is legislation on an appropriation bill.

Mr. COCHRAN. Mr. Chairman, I make the point of order that there was no reservation made when this bill was introduced with reference to points of order, and the Record will bear me out. Therefore a point of order against anything in the bill now is not in order.

Mr. MICHENER. Mr. Chairman, I desire to be heard on that point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. MICHENER. Mr. Chairman, as I am sure the Chair well knows, there is no rule of the House requiring reservation of all points of order before the House goes into Committee of the Whole for the consideration on any bill. In fact, possibly as far back as 1882 a custom was established—a sort of textbook custom, a precedent custom, not supported by a rule—whereby the Committee on Appropriations reserves points of order against appropriation bills before the House goes into Committee of the Whole for the consideration of the bill. That was the custom when I came here, and that has been followed down through the years. Once in a great while the custom is not observed. I have in mind one occasion where I know personally the custom was not followed for a purpose, because there was in the bill matter which was subject to a point of order, which fact was known to the Committee on Appropriations; but the average Member of the House, paying no attention to the reserving of points of order, did not take advantage, and, as a result, when the improper part of the bill was reached, as is the case today, the point was raised that because that same custom—not a rule—was not followed, the person making the point of order was precluded from making it. That is where we are today. I am not saying today that there was any trickery, but I am saying that in the other case there was. I am not saying that there was any intention to force anything through here by means of a technicality, but I am saying that the result is the same. I am saying that the Chair may rule, of course, following the precedents to which I have referred, points raised on several occasions, but a long time ago those original precedents were established when the conditions in the House were entirely different from what they are today. In those days the Legislative Committee on Rivers and Harbors appropriated for rivers and harbors.

The Military Affairs Committee appropriated for military necessities, the Naval Affairs Committee appropriated for naval affairs, and so on down through. In other words, there was little distinction between the legislative committee and the appropriating committee, because the legislative committee in those instances performed both functions.

When the Budget system was set up in 1921, I think it was, the entire situation was changed, and the appropriating power was all lodged in one great supercommittee. The membership of that committee was increased to 35, and the committee was divided into subcommittees. So that today, for instance, we have the Military Affairs Committee passing on military appropriations. Then we have the check of the Subcommittee on Appropriations for Military Affairs determining whether it is advisable to spend the money and to do the things authorized. If the Appropriations Committee is permitted to become a supercommittee and by technicalities usurp the powers of the legislative committees, the time is not far distant when there will be no need for the legislative committees.

Now, let us take the question involved here. A couple of years ago the House Committee on the Judiciary reported a bill setting up and establishing a new agency, another bureau in the Government. It was for the administration of justice.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. Yes; I yield.

Mr. O'NEAL. Will the gentleman, in charging this against the Appropriations Committee, be kind enough to state what the Holman rule is?

Mr. MICHENER. I am not discussing the Holman rule at all. That is an entirely different question and I am sure the presiding Chairman appreciates the fact. I am discussing the point of order made by the gentleman from Missouri [Mr. COCHRAN].

To resume where I left off, the Committee on the Judiciary brought in a bill setting up another agency, another bureau, the purpose of which bureau is to supervise the general conduct of the judiciary of the United States. They were given specific duties and powers. Now, the administrator of that bureau, who is a bureaucrat—the chairman of the subcommittee said awhile ago he did not know what a bureaucrat was. Well, here is one. I helped to establish his agency but I did not have any idea he was going to go before a secret hearing of the subcommittee of the Committee on Appropriations and there, in secret, advise the subcommittee that certain courts in the land were not needed or that certain functionaries in those courts, like clerks, were not needed, and that they should be abolished and the law creating them repealed. The Appropriations Committee is not a legislative committee. The rest of the Members, including the Speaker, other than the Committee on Appropriations, had no knowledge that there was any such

purpose or intent on the part of the bureau or on the part of the subcommittee or on the part of the Appropriations Committee. The hearings were held in secret. The transcript was printed. The printed hearings were kept away from other Members of the Congress until the bill was brought on the floor for consideration. Then and then only were those hearings released. I did not know about it. The Members representing the districts in which these clerks of the courts are to be abolished had no knowledge of it. They knew nothing about it. The secret was entirely within the heart of the bureaucrat and the subcommittee, and they were mighty careful to see to it that no one knew about it. Then we come to the floor, and for some reason no points of order were reserved, and we find ourselves in the position now where the only thing we can do is to accept that situation, provided the Chair follows those old precedents.

I know it is quite difficult to get away from precedent. Sometimes I think we would be better off, especially with an old decision and a wrong decision if we did not follow precedents. I know that the court is expected to follow decisions, but it has always been my philosophy that if a court away back yonder, when conditions were entirely different, rendered a decision which is clearly out of tune today, which does not meet present-day conditions, which is not just, which is not equitable, and which is not right, the court should find a way and state the facts that will meet the conditions of today.

The rules of the House are for but one purpose, and that is to permit the House to carry out its will according to a laid-down formula. Now, if there was a rule, then I would not be speaking. I am asking a great deal of the Chairman. I know he is a courageous man, and I do hope he will take the bit in his teeth and decide this matter as it should be decided and write a rule that meets conditions today.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. Yes; I yield.

Mr. COCHRAN. I call the gentleman's attention to rule 21, paragraph 2, and the decisions of his distinguished friend from Illinois, Mr. Chindblom, on the subject.

Mr. MICHENER. I am familiar with those rules. I do not think the Chair will cite them as authority for what the gentleman contends. Possibly Chairman Chindblom, who was a Member of the House, and with whom I served, might have decided back there in Committee of the Whole—I presume he did if the gentleman says so, although I have not seen the decisions at all, but I presume he sustained the old 1896 decision, which I say is archaic, and which I hope will be done away with. To hold as I advocate will not violate the rules of the House, and will give modern interpretation to Chairman-made precedents.

Mr. CASE. Mr. Chairman, I would like to be heard on the point of order.

Mr. O'NEAL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'NEAL. I would like to state that the chairman of the subcommittee has no desire whatsoever to rely upon any technicality. I am perfectly certain that what has been done in this bill, as I mentioned a moment ago, is clearly within the rights of the committee, but the parliamentary question is this, due to the fact that reservation of points of order was not made, is the Chair in a position now to hear a point of order argued? If the Chair would rule that he can entertain a point of order, we would know better how to proceed. I would like to be heard on the point of order if the Chair is going to entertain the point of order.

The CHAIRMAN (Mr. McGRANERY). The Chair is always in a position to entertain a point of order and arguments on it. In this particular matter the Chair is prepared now to rule.

Mr. CASE. Mr. Chairman, before the Chair rules I would like to be heard briefly.

Mr. O'NEAL. I, too, Mr. Chairman, desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from South Dakota.

Mr. CASE. Mr. Chairman, as a member of the Committee on Appropriations, it might seem that I would like to have the Appropriations Committee have all the power that might be found for it by application of the precedent cited by the gentleman from Missouri, but I feel it would be distinctly unfortunate for the procedure of the House if that precedent should receive any additional prestige by being followed in this case.

As the gentleman from Michigan has very aptly pointed out, those old decisions were not based upon a rule of the House but simply upon a practice. I invite the attention of the Chair to the citations in volume 5 of Hinds' Precedents, page 956, and following, where, in a decision of March 31, 1882, Mr. Speaker Keifer definitely referred to the situation as merely a practice that had grown up in the House.

If this precedent or practice is further observed it will mean that every legislative committee of the House must be on guard when an appropriation bill is reported to the House lest the ranking minority Member or some other Member should fail to reserve points of order. Any appropriations subcommittee of the House could bring in legislation repealing acts under the jurisdiction of any other committee of the House. Legislative committees would be powerless to protect themselves against repealers. They do not get to see the appropriation bills until they have been reported.

Moreover, the application of such a precedent seems decidedly unfair because under rule 21 the Committee on Appropriations or Members of the House can make points of order against appropriations in legislative bills at any time and without reserving the point of order when the bills are reported to the House. Turn-about is fair play. The rule should work both ways. I call the Chair's at-

tention to this sentence in paragraph 4 under rule 21:

A question of order on an appropriation in any such bill, joint resolution, or amendment thereto, may be raised at any time.

So it is not necessary to reserve points of order against appropriations when legislative bills are involved. Should a legislative committee bring in a bill reporting an appropriation, any member of the Committee on Appropriations, or any other Member of the House, may make a point of order against that appropriation or against the reporting of that part of the bill. But here in this instance, for some reason—probably through inadvertence—the ranking minority member failed to reserve points of order, so the gentleman from Missouri is in position to call up this old practice and object to any point of order being made against any legislative item in this appropriation bill.

It seems to me it would be decidedly unfortunate because if this precedent should be recognized in this House, then every legislative committee must guard against such a situation as this.

As the gentleman from Michigan has pointed out, the situation today is entirely different from what it was at the time this practice grew up. At that time a legislative committee had jurisdiction over reporting appropriations also in its field and so the legislative committee was on notice, so to speak, that a bill was coming up involving appropriations that might also carry legislative riders, but today legislative committees cannot be on notice that an appropriation committee may be bringing in some section repealing statutory law. They know nothing of the hearings until the day before and they do not see the bill until it has been reported.

How can every or any chairman of a legislative committee know that he must reserve points of order when an appropriation bill is reported? He will not even know when it is to be reported, much less what is in the bill. If an appropriations subcommittee agrees for any reason not to reserve points of order, legislative committees will find their rights lost, as the Judiciary Committee finds itself threatened today.

It seems to me it would be decidedly unfortunate if this Congress should recognize that old practice and give any further standing thereto.

Mr. O'NEAL. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Kentucky.

Mr. O'NEAL. I should like to make this matter clear to the House so there may not be any misunderstanding. The gentleman from Kentucky and other members of the committee are well aware that no reservation of all points of order was made at the time the bill was ordered.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. MARTIN of Massachusetts. To make it accurate, did the gentleman give notice to the minority members of his

subcommittee that he was going to present the bill at the time he did?

Mr. O'NEAL. They were present at the meeting of the full committee, and it is common practice that as soon as the full committee approves the bill whoever is in charge of the bill comes to the floor and reports the bill. Now, let me proceed. I think there is a lot of excitement about this unnecessarily. This committee has no desire or thought of pushing any kind of procedure against any point of order being made to a portion of the bill; we had no thought of doing that. Just before the point of order was made the chairman of this subcommittee went to the well of the House and made a statement that he thought a point of order would lie against the second paragraph. The chairman knew at that time that no point of order could be made against it. I knew that, but I stated that I thought it would lie against it properly and therefore I was going to ask unanimous consent to withdraw that paragraph and offer another amendment which would be perfectly in order. I did that with a desire that this point would not be brought up and with the hope that it would not be presented to the Chair. As chairman of this committee I stated publicly that I was willing to recognize the fact that it would be subject to a point of order, although I knew it would not lie, because no reservation had been made. So this committee was acting in perfect good faith in not trying to put over something sharp on the Committee of the Whole. We were endeavoring to cure it by unanimous consent and I want the House to know there was no effort to take advantage of the situation.

Mr. TABER. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from New York.

Mr. TABER. May I suggest to the gentleman that if unanimous consent is not given, a motion would be in order to strike out the language that some of these people have criticized, and then a motion might be in order to substitute new language that would be in order.

Mr. O'NEAL. May I say to the gentleman that if we could follow the procedure that the chairman of the subcommittee suggested, namely, that unanimous consent be given to strike the language in the second paragraph, I would then offer an amendment to the bill which would be in order that will cure the entire situation. But, as I understand it, so long as a point of order is made by the gentleman from Missouri, he is well within his rights and no points of order would lie, in my opinion, and I think the Chair would so rule.

Mr. TABER. But the thing could be covered so that the House would be in the same position that it would have been if reservations had been made by striking out the offending language on amendment and then permitting language that would be in order to be offered, if that could be done.

Mr. O'NEAL. Well, the amendment to be offered by the committee would strike out the language which would have been subject to a point of order, and this new

language in the opinion of the committee would not be subject to a point of order. That is the way we attempted to cure it.

Mr. COCHRAN. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Missouri.

Mr. COCHRAN. The gentleman from Pennsylvania made a point of order to the paragraph which had been read. The paragraph the gentleman refers to, as I understand it, has not yet been read. When the gentleman from Pennsylvania made the point of order against the paragraph I made the further point of order that his point of order was not in order because no reservation had been made when the bill was reported. So, if the gentleman from Pennsylvania wants to withdraw his point of order, I will withdraw mine.

Mr. WALTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALTER. Is not the Chair in the position at this moment of having to rule on the point of order made by the gentleman from Missouri?

The CHAIRMAN (Mr. McGRANERY). The Chair will have to rule unless the point of order is withdrawn. In that case the Chair would not be required to rule.

The Chair is prepared to rule, if there is no withdrawal of the points of order.

In this connection the Chair feels that there is a duty upon all Members to read the rules, which are published. This is not just mere custom, as the Chair sees it.

The Journal discloses that there were no points of order reserved on the pending bill when it was reported to the House on April 6, 1943.

The Chair has been very deeply impressed with the decisions on this question which run back to 1837, particularly an opinion expressed by Chairman Albert J. Hopkins, of Illinois, on March 31, 1896—Hinds' Precedents, volume V, section 6923—in which it was stated:

In determining this question the Chair thinks it is important to take into consideration the organization and power of the Committee of the Whole, which is simply to transact such business as is referred to it by the House. Now, the House referred the bill under consideration to this Committee as an entirety, with directions to consider it. The objection raised by the gentleman from North Dakota would, in effect, cause the Chair to take from the Committee the consideration of part of this bill, which has been committed to it by the House. The Committee has the power to change or modify this bill as the Members, in their wisdom, may deem wise and proper; but it is not for the Chairman, where no points of order were reserved in the House against the bill. * * * The effect would be, should the Chair sustain the point of order made by the gentleman from North Dakota, to take from the consideration of the Committee of the Whole a part of this bill which has been committed to it by the House without reservation of this right to the Chairman.

Hopkins then held that he had no authority to sustain a point of order against an item in the bill.

The present occupant of the chair feels constrained to follow the precedents heretofore established and sus-

tains the point of order made by the gentleman from Missouri [Mr. COCHRAN].

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. For the sake of clarity and for the future, and may I say I have great respect for the Chairman's ruling, will the Chair differentiate between an appropriation bill in his final decision as written, that is, differentiate between the Hopkins decision which applies for all logical reasons to all legislative committees the same as it does to the Appropriations Committee?

The CHAIRMAN. The Chair thinks if the gentleman will read clause 2 of rule XXI he will find that that provision applies merely to appropriation bills, while clause 4 of rule XXI applies to legislative bills coming from committees not having appropriating powers.

Mr. MICHENER. That is the decision.

The CHAIRMAN. Yes.

Mr. WALTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALTER. As I understood the Chairman, the point of order was overruled?

The CHAIRMAN. The Chair held that in the Chair's opinion he cannot pass upon the question raised by the gentleman. The Chair feels this bill was given to the Committee of the Whole House on the state of the Union in its entirety and that the Chair cannot under the present circumstances sustain a point of order against an item.

Mr. WALTER. I understand that, but does the Chair mean that the point of order made by the gentleman from Missouri is sustained?

The CHAIRMAN. The Chair sustained the point of order made by the gentleman from Missouri and overruled the point of order made by the gentleman from Pennsylvania.

Mr. STEFAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STEFAN. May I ask the Chair if the ruling affects page 56, line 12, down to line 25, the part of the bill which had not been read?

The CHAIRMAN. The Clerk has not read that part of the bill.

Mr. STEFAN. Then it has no effect upon the language appearing on page 56, lines 1 to 11?

The CHAIRMAN. The Chair's decision just now given will affect every item in the bill.

Mr. STEFAN. In the entire bill?

The CHAIRMAN. Yes.

Mr. CASE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE. Mr. Chairman, I note in reading the precedent to which the Chair has referred, volume 5, Hinds Precedents, page 957, that the Chairman at that time recognized that this was a very close question. The Chair raised this question: "The very most that could

be done would be to report the point of order back to the House for its decision."

In other words, in taking the point of view that since the House had referred the bill to the Committee, no such question rose, the Chair might refer it back to the House for further instruction, which would be within the ruling that the Chair cited.

The CHAIRMAN. As the Chair read the particular case, that was the suggestion made by the Chairman, but there is nothing in the decision to show that that was actually done.

Mr. CASE. I was hopeful that the Chairman would make this the first time and take advantage of that suggestion.

Mr. STEFAN. Mr. Chairman, I offer an amendment.

Mr. WALTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALTER. I have had an amendment on the desk for some time. I am wondering whether or not this is the time to offer the amendment.

Mr. STEFAN. I am a member of the committee, Mr. Chairman.

The CHAIRMAN. The gentleman from Nebraska is a member of the committee, so the Chair will first recognize the gentleman from Nebraska on his amendment.

The Clerk will report the amendment offered by the gentleman from Nebraska.

The Clerk read as follows:

Amendment offered by Mr. STEFAN: On page 55, line 20 to the end of the paragraph, strike out all of the proviso.

Mr. STEFAN. Mr. Chairman, the amendment which I offer would restore and keep open a number of Federal court offices, five of which are located in my State—Nebraska. It may seem, according to the hearings that little work is done in these offices and that they should be closed. It is true the court holds few sessions at these points. But in recent years I am told the work of the clerk has been heavy. That is due to the large amount of work on citizenship matters, immigration and naturalization matters, bankruptcy, and other matters in which our citizens are so much concerned now. I have just talked to Gen. Guy Heninger, who is in charge of our Selective Service in Nebraska. He agrees with me that these offices are busy now. He agrees with me that citizenship cases are very important at this time. I have also talked to numerous lawyers in my State. They are interested in these offices. If we abolish them now I am fearful that hundreds of Nebraska people and many of our lawyers would be forced to travel long distances to transact court business. With the tire- and gasoline rationing program and the serious transportation problem I believe we had better leave these offices open. There is no one more anxious to eliminate useless expense than I am. I am sure the membership of this House knows that, especially in view of my efforts on yesterday to reduce millions of dollars of expenditures made for activities in Central and South America. In that item there

was money on laws in South America and kindred matters. Matters on which we spend American taxpayers' money in foreign countries. Here is an item affecting our own people. Matters which are vitally important to them. I hope that the membership will vote for my amendment.

Mr. TABER. If the gentleman will yield, may I say this. I think the fair thing under the circumstances is to strike out this proviso, which would manifestly be subject to a point of order if points of order had been reserved, and then if the subcommittee has an amendment to offer that is in order, let it offer it. I think to keep faith with the House we ought to adopt this amendment.

Mr. O'NEAL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not believe there is very much occasion for anyone's being terribly disturbed about this matter. I think anyone who is familiar with parliamentary law and the rulings of the House will agree that the paragraph that has been read—and I call this particularly to the attention of the gentleman from New York—is certainly within the Holman rule, and is right and proper. All we do is attempt to save a little money. There is no question about that part.

If the gentleman from New York, however, will turn to the paragraph which has yet to be read, on page 56, that, in my opinion, I state again as chairman of the subcommittee, is subject to a point of order. In order that the gentlemen may have just what they are entitled to on the minority side, we are perfectly willing without a point of order being made, and without having to go through a discussion such as we are now going through, to take it out. I wanted to do that from the start, as the gentleman from Indiana will tell you. We are perfectly willing to strike that from the bill by unanimous consent, at which time I will offer an amendment which is plainly within the Holman rule. That will cure the whole thing. Nobody will be deprived of any rights, and you will incidentally be doing the right thing by saving a little money.

Mr. HARRIS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Arkansas.

Mr. HARRIS of Arkansas. Will the gentleman state what the amendment will be that the gentleman proposes to offer?

Mr. O'NEAL. It provides that no part of any appropriation in this act shall be used to pay the cost of maintaining an office of a clerk of the United States courts at the places described here. In other words, that is purely cutting down the money involved. Incidentally, as to the paragraph we are discussing, there is not an office today in one of the places named. It seems to me that should satisfy the gentleman from New York and everybody on the minority side. We are not trying to take advantage of any technicality.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from New York.

Mr. TABER. The part of the language that I doubt very much is in order—in fact, I am sure it is not—is that part beginning on line 7 with the word "and" and continuing "such provisions of law as require offices of clerks of courts to be maintained at such places are hereby repealed," and then on for the remainder of the paragraph. The first part of it is clearly in order.

Mr. O'NEAL. We can argue that point, but I may say that I have gone into that very thoroughly. I think the gentleman will find it is perfectly in order under the Holman rule up to line 12 on page 56. We have attempted to cure this difficulty, and at the proper time I shall ask unanimous consent to strike out lines 12 through 25. But let me urge you again to remember, if you are interested in economy, what we are trying to prevent. There are a lot of offices where there is no work going on other than perhaps 1 day a year, and we are attempting to stop the payment for these clerks.

In the second place, why should you maintain an office that has never been filled? Why should you leave it open?

In the third place, this slight economy, this slight cut, is the recommendation of the administrative officer of the court.

I think we are engaging in a lot of discussion that is hardly worth while.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from South Dakota.

Mr. CASE. There are two distinct paragraphs here. I read the hearings, and I find the section of the hearings to which the gentleman has referred on pages 29 and 30, relating to the offices that are covered in the first paragraph, but I have been unable to find any testimony anywhere with reference to the offices covered in the second paragraph.

Mr. O'NEAL. There are no offices there now, I may say to the gentleman.

Mr. CASE. But there is no testimony in the hearings to that effect.

Mr. O'NEAL. Do you need testimony that they are not needed when they do not have any such offices and never have had any?

Mr. CASE. There is nothing in the hearings to show that that is the fact. The offices are authorized by law.

Mr. O'NEAL. I assure the gentleman that was the statement made to us. There are no offices there and there is no use in carrying on offices where somebody may want to send a friend and put him to work.

Mr. CASE. Where was the statement made that there are no offices and no need for them?

Mr. O'NEAL. The statement is by the administrative officer. I cannot lay my hands on it.

Mr. CASE. I have not been able to find it.

Mr. O'NEAL. He addressed us both on the record and off the record. That was the statement. I assure the gentleman that statement was made.

Mr. CASE. The gentleman has a section in the bill, then, abolishing at a number of places offices that are authorized by law, but about which there is nothing in the printed hearings.

Mr. O'NEAL. Common sense says you shall not appropriate for a little office which you never use.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. WALTER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, there is more involved in this matter than anybody has mentioned up to this moment. It is a question of whether or not we are going to permit the Committee on Appropriations to amend and repeal laws written by duly constituted legislative committees. There is no question in my mind, and I have given some thought to this particular matter, that there are many places in the United States where the terms of court ought not to be held, where there ought to be no clerks, where there ought to be no marshals, but bear this in mind, that in every single district in the United States, the courts that are now in existence, and authorized to sit, have been authorized by the Committee on the Judiciary of the House, after full and complete hearing has been held, and after it has been demonstrated to that committee that there is need for holding court at that particular place.

Mr. CRAVENS. And is it not also true that the Committee on the Judiciary has leaned over backward against holding courts and establishing clerks' offices until it clearly and positively demonstrated that they are necessary?

Mr. WALTER. I agree with that, and I will say that we have not created a judgeship that has been permanent, with the idea of saving whatever money we can in conducting the courts of the land, but in this particular case the administrative officer of the courts who occupies a very important and influential position has decided to short-cut the usually orderly way of having matters of this kind disposed of, and instead of coming before the Committee on the Judiciary and suggesting legislation, he has gone to the Committee on Appropriations and sought to have the law repealed through the simple expedient of withholding appropriations. Whether or not there has been any testimony in justification of what it is proposed to do I do not know. I do know this, that the record is silent as to this entire matter. It seems to me that the thing to do is to approve the amendment offered by the gentleman from Nebraska [Mr. CURTIS] and strike this section out and permit the Committee on the Judiciary in an orderly way to send for Members of Congress who are interested, and others, and there are a number of Congressmen interested in every section of this paragraph, and let them make their own recommendations, and then we will be happy to permit the administrative officer of the court to advise us as to what in his judgment ought to be done, but I do not think we ought to accept that man's judgment without supporting evidence.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. WALTER. Yes.

Mr. O'NEAL. For some several years we have not had in these places as much as 1 day a year of court, and the clerk was paid for the entire year. Look on page 30. They have not held court, in

places that we are trying to get rid of, over 15 days.

Mr. WALTER. I decline to yield further. Nobody disputes what the gentleman from Kentucky is saying. I am quite sure that what is proposed to be done here will be done through the unanimous action of the Committee on the Judiciary, but let us do it in the regular way.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. WALTER. Yes.

Mr. CURTIS. To point out that a number of these places are today in States where the distance to be traveled is great, and by abolishing these offices, we are moving the Federal courts farther away from the people, and the fact that no trials have been held is immaterial. It is the right to go into court conveniently that is worth something to the people. Furthermore, these clerks are carrying on important functions with reference to immigration and naturalization, bankruptcy, and other matters at this time.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? There was no objection.

Mr. HOFFMAN. Mr. Chairman, it appears that Under Secretary of State Sumner Welles and the Canadian Government should answer some pertinent questions regarding the recently announced leasing of the palatial Welles residence and stables in Washington at a reported rent of \$37,000 a year for the housing of 135 members of the Canadian Women's Army Corps.

When the Canadian Women's Corps moves into these quarters on June 1, the American Women's Voluntary Service, which has occupied the stables since December 1941, will be ejected.

From highly reliable sources it is reported that the United States Navy sought to rent the property from Mr. Welles several months ago as a headquarters for the Navy's own auxiliary women's division, the WAVES. The Under Secretary of State is said to have refused to negotiate with the Navy so that this American women's military unit might have a place to live.

Now, according to the press, this great Massachusetts Avenue mansion, which Mr. Welles would not open to American women, is to be turned over to Canadian women in uniform. Moreover, another American women's military organization is to be evicted from the Welles stables because the Canadian Government insists it needs all the buildings upon the estate.

The question naturally arises whether the Canadian Government is going to pay the \$37,000 annual rent to our Under Secretary of State out of lease-lend funds provided Canada. This House ought to have a statement from the Canadian Government on that proposition.

In addition, Congress should be informed by Mr. Welles why this huge dwelling, which has lain vacant for several years despite the desperate housing shortage in the Capital, should now be

leased to the Canadian women's outfit, known as the CWACS, whereas it was barred to American women in uniform. Could it be that the Canadian Government, aided by lease-lend funds supplied by American taxpayers, was able to outbid our own Navy?

The AWVS, which will be made homeless under this arrangement, has 5,819 members in Washington whose voluntary services cover 63 details which supplement the Government's war activities. They have occupied the Welles stables without paying rent, but they paid the heating and electricity bills from December 1941 to January 1943. At that time, apparently in anticipation of the Canadian deal, Mrs. Welles offered to pay the heating and electricity charges thereafter, thus removing all legal and moral claims which the AWVS might have put forward in a petition to remain on the premises.

In view of the numerous activities of the AWVS, which include confidential work for the Army, motor corps work for Army and Navy, emergency feeding and housing for the armed services, rescue-squad work, selling War stamps and a host of other duties, it would be interesting to know just what 135 members of the Canadian women's organization are doing in Washington that they should have a priority on housing accommodations.

The Welles home and stables are spacious enough to accommodate 300 or 400 persons, it is reported, and our Navy wanted to put that number of WAVES into the place. It has been reserved, however, for 135 Canadian women in uniform who insist they must have the stables, as well as the residence, for their accommodation.

Certainly we want our Canadian guests to be as comfortable as possible, but it is permitted to wonder if a high-ranking Canadian official would oust a women's military organization of his own country from its quarters to make room for an American women's organization.

Mr. O'NEAL. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. FULBRIGHT. I object.

Mr. O'NEAL. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Nebraska, [Mr. STEFAN]. I can readily understand his position, because there are a number of these offices in his State. I also find one in Florida and I would have been concerned myself if I did not know exactly what is being done in these offices. When we had the matter before the Committee I pointed out myself that these offices were established by statute and in order to do away with the offices, we should repeal the statute. But there is another way to do it, a way in which we have always done it, or at least have used many times, and that is to deny the appropriations to carry them on. Take the list on page 30 of the hearings

and you will find a summary of the cases held during the years 1941 and 1942, both criminal and civil. I don't remember exactly how many but I ask the Chairman of the subcommittee how many of these offices are we denying appropriations for?

Mr. O'NEAL. Twenty-four.

Mr. HENDRICKS. Twenty-four, and we pay to each one of these clerks on an average \$1,000 a year. This is the way we have established at times in doing away with some of these useless offices. We do it by denying the appropriations. I submit that the statute should be repealed, where these offices are not necessary. As I said there are 24 of these offices, and if you gentlemen will notice the summary there of where the courts were held they will notice that 5 cases were filed in 1 year and in another 68 and in another 52, and in another 20, another 19, and so on down the list. The highest number filed was 68, including civil and criminal cases during 1941. I think the highest number of days in which court was held was 12 days in 1941, and that was for 2 years.

So you are paying a clerk in 24 courts on an average of \$1,000 a year to file these few cases and to hold court for 6 to 12 days. This does not deny the court the right or opportunity to hold court in these particular places. The court can still sit as a court and carry a clerk with him, or whatever help is necessary.

Mr. STEFAN. Will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. STEFAN. I am sure the gentleman understands my purpose in offering this motion. I am sure he is not charging me with any ulterior motive because five of these offices in my State would be closed. My interest in it would be the interest of the people who go to those offices to get information about immigration, naturalization, and citizenship. I have particularly found in the office in my home town which is mentioned there, where people have come long distances for that information. By closing the office I fear they would have to be forced to go to Omaha or Lincoln, 100 or 120 miles away.

Mr. HENDRICKS. I would be the last to accuse the gentleman from Nebraska of doing anything improper. I know he is trying to do what he thinks is for the best interest of his people, but I want to say to the gentleman that I believe if he will go to Mr. Chandler, who is administrator of the Federal courts, he will find that Mr. Chandler can give him the information that these offices are absolutely not necessary, and when he gets that information he will agree.

Mr. STEFAN. Well, I worked on this legislative bill and I know Mr. Chandler, and I have great faith in him.

Mr. WALTER. Will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. WALTER. I would like to call the gentleman's attention to what Mr. Chandler said at this hearing. He said:

I should be going beyond my authority to recommend abolition of specific branch offices of district courts without consulting the judges.

You are going away beyond anything that was recommended by Mr. Chandler, through this provision in the bill.

Mr. HENDRICKS. I know Mr. Chandler said that, because he is the administrative officer and he cannot recommend that we abolish these offices when they were created by statutory authority. But I simply say that Mr. Chandler has given us the facts, and we found that these offices are not justified. The only way to stop the expenditure of this money when it is not necessary, is to cut out the appropriation. That is the way it should be done. I know exactly what Mr. Chandler said, because I questioned him on the subject.

Mr. WALTER. I would like to call the gentleman's attention to what he himself said:

Mr. HENDRICKS. Mr. Chairman, I think we missed something there. He is speaking of abolishing these offices. These offices are created by statute; are they not?

Mr. CHANDLER. Yes; they are created by statute.

Mr. HENDRICKS. And the statute would have to be repealed?

Mr. CHANDLER. I assume that that is true.

Mr. HENDRICKS. I will admit that, but never did I say we should not deny the appropriation. That is one way of stopping unnecessary expenditures. I am sure I said that, because I was there when I said it. Never did I say we should not deny the appropriation. I want to point out that this office in Florida is included. I say this is a useless expenditure and can easily be dispensed with.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CLASON. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, with reference to the argument which was just made in regard to the abolition of the clerks' offices, I think we ought to point out the fact that many cases are not entered in the place where the clerk or the deputy clerk is located. For instance, you will note there no cases filed, on page 30, at Springfield, Mass. Yet days of court held were 15 in 1942 at Springfield. The reason of course is that the district attorney for the State of Massachusetts is located at Boston. The Government files its cases in Boston. They are tried outside of Boston, at Springfield. That is a long distance away. It would be a real hardship upon the people of western Massachusetts if there was not some place in a city of 175,000 to which they could go to learn about their cases and to find out what is going on. For instance, Westover Field is taken over by the Federal Government. There are a great many land cases to be tried. They have not been completed yet. They are tried in Springfield. They are not tried in Boston.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. O'NEAL. Does the gentleman realize, when he is speaking for the preservation of Springfield, that they have not had a civil case filed in either 1941 or 1942, and they only met 3 days in 1941?

Mr. CLASON. I believe the gentleman has not been listening to what I said,

because they have tried 15 days in 1942. The cases were filed in 1941 and 1942 at Boston. But they were tried in Springfield. The reason for it is that the place where the land is located is in western Massachusetts.

Further than that, the clerk's office is open every day in the year. People go there and do business. If you will look at the earnings of the clerk's office, you will find that the clerks have been earning far in excess of their expenditure. There is nothing in this testimony to indicate that, if those offices are closed, the Government would not lose money. I certainly feel that on naturalization proceedings, on visa proceedings, and with reference to witnesses and various other matters it is only fair that there be more than one clerk's office in each State dealing with four or five million people.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CLASON. Yes; I yield.

Mr. MICHENER. I take it that the gentleman feels that before this court in his particular district is abolished, he should at least be permitted to know that such a thing was contemplated and that he might be furnished a forum in the Congress where he might present the claims of his constituents?

Mr. CLASON. I certainly do feel that way.

I want to say further, I think the motion of the gentleman from Nebraska should be agreed to. Then we get down to the point where there is no question of legislation before the House, and, if the gentleman in charge of this bill feels that legislation should be passed, after giving the Members of Congress a chance to be heard, he can bring forward the motion he has suggested, and we can vote on it at that time. But, first of all, I think the motion of the gentleman from Nebraska, which is now pending, ought to be passed unanimously.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. CURTIS. It will mean in my State if certain of these offices are abolished that citizens will have to go from two to seven hundred miles to get to the clerk of a Federal court in reference to naturalization papers and other matters at a time when travel is curtailed.

Mr. CLASON. I have no doubt it would be a hardship upon millions of people. There are at least 750,000 people who depend upon the clerk's office in Springfield, Mass., for service. To ask these 750,000 people to do their business through Boston, 100 or more miles away, seems to me a little unfair and that the \$1,000 in salary saved would be lost in additional fees, and furthermore it ought to be expended in any instance.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired, all time has expired.

The question is on the amendment offered by the gentleman from Nebraska.

The question was taken; and on a division (demanded by Mr. O'NEAL) there were—ayes 100, noes 16.

So the amendment was agreed to.

The Clerk read as follows:

The provisions of law requiring offices of clerks of courts to be maintained at Anniston, Ala.; Florence, Ala.; Jasper, Ala.; Gadsden, Ala.; Grand Junction, Colo.; Montrose, Colo.; Durango, Colo.; Sterling, Colo.; Newnan, Ga.; Benton, Ill.; Salina, Kans.; Chilli-cothe, Mo.; Roswell, N. Mex.; Bryson City, N. C.; Shelby, N. C.; Ardmore, Okla.; Guthrie, Okla.; Aberdeen, S. Dak.; Pierre, S. Dak.; Deadwood, S. Dak.; Ogden, Utah; Casper, Wyo.; Evanston, Wyo.; or Lander, Wyo.; are hereby repealed, but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Mr. O'NEAL. Mr. Chairman, I desire to offer an amendment, but first I wish to submit a unanimous-consent request.

Mr. Chairman, I ask unanimous consent to strike the paragraph beginning on page 56, line 12, and running through line 25, and substitute therefor the amendment which I have just sent to the desk.

The CHAIRMAN. Permit the Chair to understand the gentleman. The gentleman's request is limited to the striking of the language beginning in line 12 on page 56 and running through line 25.

Mr. O'NEAL. That is correct.

Mr. BULWINKLE. Mr. Chairman, reserving the right to object, let me ask the gentleman from Kentucky this question: I notice in lines 17 and 18 Bryson City, N. C., and Shelby, N. C. Shelby is in my district. To my information there never has been a clerk there. There has always been one detailed there, but here you are taking away from them a clerk when no clerk has been there. I want to know something about it.

Mr. O'NEAL. I remind the gentleman that when I made the reservation of the point of order I made the statement that the offices provided in lines 12 to 25 had not been filled and that we wanted to make sure that they would not send somebody down there to open up those offices and put that burden on the Government. To do that we put this provision in here so that it could not be done in the future. The chairman of the committee has said many times that these have not been filled.

The ones in the paragraph which we have just voted on in which the House was unwilling to economize, as filled and courts are held, sometimes as little as 1 day only during the full year. That is the answer to the gentleman's question.

Mr. BULWINKLE. Still further reserving the right to object, I know court is being held at this place.

Mr. O'NEAL. They can still hold court there but they cannot maintain a clerk there.

Mr. BULWINKLE. But they do not maintain one there anyway.

Mr. O'NEAL. That is all I can say to the gentleman. It does not seem to some of us to be good judgment to maintain a man in a place for a whole year to do just 1 day's work.

Mr. BULWINKLE. But they do not keep that man there.

Mr. MICHENER. Mr. Chairman, reserving the right to object, as I understand it, the gentleman has asked unanimous consent to do two things: First to

withdraw all of page 56 beginning with line 12 and concluding with line 25. That is the section which is clearly and admittedly out of order.

Mr. O'NEAL. That is correct.

Mr. MICHENER. The one to which I have been objecting. The second thing the gentleman asks that he be permitted to do is to put back in a parliamentary way the very things he has stricken out.

Mr. O'NEAL. The gentleman is in error.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. FULBRIGHT. Mr. Chairman, I object.

Mr. O'NEAL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'NEAL: On page 56, after line 12, insert a new paragraph as follows:

"No part of any appropriation in this act shall be used to pay the cost of maintaining an office of clerk of the United States district court at Anniston, Ala.; Florence, Ala.; Jasper, Ala.; Gadsden, Ala.; Grand Junction, Colo.; Montrose, Colo.; Durango, Colo.; Sterling, Colo.; Newnan, Ga.; Benton, Ill.; Salina, Kans.; Chillicothe, Mo.; Roswell, N. Mex.; Bryson City, N. C.; Shelby, N. C.; Ardmore, Okla.; Guthrie, Okla.; Aberdeen, S. Dak.; Pierre, S. Dak.; Deadwood, S. Dak.; Ogden, Utah; Casper, Wyo.; Evanston, Wyo.; and Lander, Wyo.; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein."

Mr. CASE. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CASE. The amendment, as I understood it read, proposes to offer a new paragraph at line 12 or after line 12 without striking any language. That cannot be done.

Mr. O'NEAL. Mr. Chairman, I presumed the Republicans were going to allow the unanimous-consent request to be acted upon; therefore my amendment which I am offering asks for the insertion of these words as a new paragraph following line 25.

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment to read, "Beginning with line 25," instead of line 12. Is there objection?

Mr. TABER. Mr. Chairman, I object.

Mr. O'NEAL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'NEAL: On page 56, beginning in line 12, strike out all of the language down through line 25.

Mr. O'NEAL. Mr. Chairman, I am going to be frank with the House. The only reason I made the unanimous-consent request which has been objected to by the gentleman on my left was to obviate the necessity of bringing up the question of whether they had reserved their rights when this bill was offered on the floor. I did not care to take advantage of a technicality where my friends were involved, because no point of order would have lain against any part of this bill if we had insisted upon that procedure; therefore, I came here

to ask unanimous consent so that would never be brought up in the House. The very gentleman I am trying to defend are the ones who object to the unanimous-consent request.

Mr. TABER. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from New York.

Mr. TABER. The trouble is, the unanimous-consent request was not the same thing as this amendment and that is the reason the objection was made.

Mr. O'NEAL. Mr. Chairman, we have talked economy here for months. We get up here and holler about economy, and what is happening as to what the committee has done in this bill? The executive officer of the judicial circuit representing the chief judges and all the judges comes before our committee and says: "Gentlemen, we have a lot of places here where there is no work going on to speak of, and certainly not enough to justify a clerk. We should not provide money for those positions." And he furnishes us a list showing that some of them have not had a case filed in 2 years, others maybe 1 day in the year, and no business at some of these places. If you will take the number of cases filed in the average court as compared to one, two, or five, it would be five hundred to a thousand times the number these little places handle. Because some man has one in his district, is that a justification for keeping the amount in the bill to pay for unnecessary service?

The second paragraph before us and about which I am speaking now, contains places where they do not even maintain an office, they have never maintained one, and all we are asking today is that no money shall be paid out of this appropriation to open up one of these places. But, because it mentions the congressional district of some Members, they are going to protest anything being done that will in any way affect the personnel or the expenditure that might take place for those offices. If you vote to knock this item out, what are you doing? You are saying that we are wrong to put in there that no money shall be used for opening up these offices, we do want such a prohibition and we want to make it possible that offices that have never been opened up may be opened up with money provided in this bill.

What a ridiculous position for those who are interested in economy. That is all there is to it. They are not open now and they have not been for a long time and we say, "You shall not open them during the next year out of the money appropriated in this bill." If you want to sustain the motion to strike this out so that somebody in some congressional district may put someone in there and help the situation a little bit, that is your privilege, but you are not acting in the cause of economy.

Mr. MICHENER. Will the gentleman yield?

Mr. O'NEAL. The gentleman would not yield to me. The gentleman made his explanation and would not yield. But I yield to the gentleman now.

Mr. MICHENER. If the gentleman were familiar with the administration of the courts, he would know that the administrator, Mr. Chandler, would be the person who would have to approve of the opening of these offices which the Chairman of the subcommittee says are not open. The whole discretion would be lodged with him, so that answers completely the argument the chairman of the subcommittee is making. It simply shows he is not familiar with the situation.

Mr. O'NEAL. The discretion lies with the Congress. If you want to appropriate money to open offices that are doing no business that is your responsibility, but I do not intend to vote for a dime that is not justified.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this amendment simply strikes out the language that would be subject to a point of order. After the amendment has been adopted, if the gentleman from Kentucky is really interested in economy and has the evidence to make out a case, I shall support an amendment myself which would eliminate any unnecessary offices, or eliminate the money for any unnecessary offices.

The membership of the House should act according to their best judgment as to what is the right thing to do. The reason I objected to the unanimous consent request was that I understood from what the gentleman from Kentucky said that there was coupled with his unanimous consent request the proposition not only to strike out this language but to substitute some other language in its place. I think that is what the Record will show.

I hope the pending amendment will be adopted so that we may keep faith with the House.

Mr. PLOESER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been here all afternoon listening to a lot of wrangling that apparently had very little point, at most times, that tended to confuse the members of the committee at other times, and that at very few moments expressed the definite intention of the subcommittee.

I think I can conscientiously speak for the entire subcommittee when I say that there was never any intention on the part of the majority or the minority to withhold from this House that it intended to abolish an appropriation for these unused or little-used offices of clerks of the various courts. For anyone on either side to try to twist the intention of the subcommittee is to present a false issue before this Committee of the Whole House.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. Not at this point.

Let us admit that that paragraph of the bill as brought on the floor is out of order. Let us further admit that there was a failure to make a reservation of points of order at the beginning of the sitting of the Committee of the Whole House. That still does not excuse anyone for trying to twist the intention of the chairman of

the subcommittee, who was sincerely trying to eliminate that section of the bill which many of you contend is out of order and to substitute for it a provision which would prohibit the use of any appropriation for those offices, without repealing any law.

It makes no sense whatever when a Member of this House gets on the floor and says that the office has never been in use, so why put in a prohibition against the use of funds for it in the future. Neither does it make any sense whatever for any Member of this House to attempt to convey the thought that the language of the amendment offered by the gentleman from Kentucky is the identical language which appeared in the original bill. Obviously such a statement is not true.

The fact is simply this: The original bill came in here and attempted to legislate on an appropriation bill. Everyone is satisfied to eliminate that portion of the bill. Whether you do it by point of order, whether you do it by unanimous consent, or whether you do it by simple majority vote of this Committee on the proposal of an amendment matters little as long as the Committee on the Judiciary is satisfied that we are not repealing any section of the law, and certainly you should be satisfied with the amendment which is before the Committee now. I support that amendment and ask you to support it.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. No; I do not yield.

Mr. WALTER. Does the gentleman know what the amendment is about which he is talking?

Mr. PLOESER. Yes; I know, and so does the gentleman from Pennsylvania. What we are trying to do is explain it so that other Members will know, too. I have listened to this debate all afternoon; I have asked no one to yield to me; and I do not intend to yield.

The Committee, in all its sincerity, led by its Chairman, is trying to do this thing in the parliamentary fashion, which you distinguished lawyers want and are now getting. There is no excuse for any further wrangling over the matter. We intend purely and simply to prohibit the use of any part of this appropriation for sustaining or paying the salaries in these offices which are not functioning, and we want to write it into this bill so that this office, for example, in North Carolina, will not bloom needlessly during the next few months.

Mr. O'NEAL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WALTER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am enthusiastically for the amendment offered by the gentleman from Kentucky.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. O'NEAL. The gentleman understands that when the unanimous-consent request was objected to by the gentleman from New York, the parliamentarian made the suggestion that the gentleman from Kentucky offer an amendment to strike the paragraph beginning at line 11 and extending through line 25, and that is the amendment now before the committee.

Mr. WALTER. Yes; and that is what I am supporting.

Mr. O'NEAL. If that is done, I intend to offer the amendment which I discussed.

Mr. WALTER. Yes. It seems to me that the quickest way for us to dispose of a very nasty situation is by agreeing to the amendment offered by the gentleman from Kentucky. I was hopeful when he offered that amendment that he did not intend to offer a further amendment, because it seemed to me it was a manifestation of his intention to maintain the dignity of the Committee on the Judiciary and not insist on assuming its prerogatives.

The gentleman who spoke just before me said that it does not make sense to refuse to appropriate money for offices where clerks are not now paid. That may be true, but it does not make sense to say that the adoption of this language will bring about economy when no money has been expended heretofore.

The thing of which I am fearful is just this. In every one of these places where courts are being held and where clerks are not maintained, clerks are assigned to travel throughout the circuit. Through the adoption of this language, conceivably the Comptroller General would rule that it would be illegal to pay a clerk while he was employed in one of the towns mentioned in this section.

Mr. Chairman, this all goes back to the original proposition. Are you going to permit the Committee on Appropriations to write the laws in the House? Today it is the Committee on the Judiciary that is affected. Tomorrow it will be the Committee on Military Affairs, the Committee on Naval Affairs, or the Committee on the Post Office and Post Roads. There is no end to it. It seems to me the thing for us to do is to adopt this amendment and not consider the one the chairman says will follow this one.

Mr. BULWINKLE. Mr. Chairman, I realize that I speak with trepidation when I do so before the gentleman from Missouri [Mr. PLOESER], who claims all the ability and all the sense that anyone should have in respect to this bill. For the life of me, unless there is something more to it I cannot see the sense in providing in a bill that you should not have anything but a detailed clerk at a particular office, when that has been in effect for some time, and unless the Comptroller General holds that no part of the appropriation shall be spent for a detailed clerk, then I cannot see the reason why the gentleman from Missouri wants to press this. There is something else, gentlemen. You might as well say that because, forsooth, a rural carrier goes a quarter of a mile out of his way to a man who does not put in sufficient mail in the way of receipts to pay expenses

of that rural carrier that, therefore, that route should be eliminated. The courts should be near the people, and I do not care what the gentleman from Missouri or anyone else says as to the sense of it. It is good sense to put the courts within easy reach of the people at all times.

Mr. CAMP. Mr. Chairman, I merely want to say that the clerk provided for the division of court in my home town of Newnan has his office 39 miles away in Atlanta, because the courthouse has not been built there yet. It is one of the biggest divisions in the State, and here they strike out the provision for the clerk, when he is only doing business in another town temporarily. It simply shows that they have not investigated the case. They added another clerk at Atlanta until such time as the quarters could be provided for the one at Newnan, Ga., and this bill strikes out the legislation creating that clerkship. I just think that the House should have this information and explanation.

Mr. BISHOP. Mr. Chairman, will the gentleman yield?

Mr. CAMP. Yes.

Mr. BISHOP. I have the same situation in my district.

Mr. CAMP. That matter has been thrashed out before the Committee on the Judiciary. The Committee on the Judiciary approved and this House passed a bill creating that clerkship at Newnan, Ga., and to strike it out now, here, I do not believe is in accordance with the correct rule of legislative procedure, that is, to strike it out in an appropriation bill.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CAMP. Yes.

Mr. MICHENER. If the gentleman had known that this was contemplated, he could have gone before the committee and explained the matter, and surely this intelligent committee would not have reported a thing like this if they had heard the gentleman.

Mr. CAMP. Certainly, and the first I knew of it was when it was called to my attention here on the floor of the House this afternoon.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. CRAVENS. Mr. Chairman, I briefly call the attention of the Committee to a certain implication in the report accompanying this bill leaving the impression that the Administrator of Courts had recommended the abandonment of the court-clerk offices named in this bill. Referring to Mr. Chandler, the report says that he is willing to abolish some of the outlying offices. I quote from the report:

The Director was asked in the course of the hearings, page 29, whether he would recommend the closing of any such offices, and in reply made the following statement: "I would certainly abolish a number of those outlying offices." He was then requested to furnish the committee with a list of offices which in his opinion could be closed without impairing the work of the courts, and inserted in the record, at page 30 of the hearings, a list of 24 such offices.

That would leave the impression on the part of anyone reading that statement that the Administrator of Courts

had gone before the subcommittee of the Committee on Appropriations and recommended that the offices named in this bill be abandoned. The Administrator of Courts, however, made no such recommendation. Here are the hearings, and all of the testimony that the Administrator gave before the subcommittee, and the Administrator expressly declined to make that recommendation.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. CRAVENS. Just 1 minute. On page 29 of the hearings concerning this bill he says that he would not have any authority to make such recommendation and declined to make it, and yet we have the implication left by this report that the Administrator of courts made such a recommendation, when the Administrator himself says that he had no authority to do so and expressly declined to make any recommendation with reference to the matter.

Mr. O'NEAL. I refer the gentleman to his statement on page 29:

I would certainly abolish a number of those outlying offices.

Mr. CRAVENS. And then the gentleman asked him to furnish a list and he said he would not have any authority to furnish that list, and implied that he would not have the information on which to base a recommendation without consulting with the various judges throughout the whole country, which is just as much as to say that he himself did not know whether such offices should be abandoned or not. And yet the gentleman is trying to leave the impression that the administrator of courts recommended the abandonment of the particular offices named in this bill.

Mr. O'NEAL. We did not say that he had authority to abolish it. He said that if he had authority he would abolish them.

Mr. CRAVENS. I have the record here in my hand, and if the gentleman will point out to me where Mr. Chandler, the Administrator, recommended abolishing any particular office in the United States, I will withdraw my objection.

Mr. O'NEAL. I can tell the gentleman.

Mr. CRAVENS. Where did he name any office that is named in this bill?

Mr. O'NEAL. Right in these places.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was agreed to.

Mr. O'NEAL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. O'NEAL: On page 56, after line 11, insert a new paragraph as follows:

"No part of any appropriation in this act shall be used to pay the cost of maintaining an office of the Clerk of the United States District Court at Anniston, Ala.; Florence, Ala.; Jasper, Ala.; Gadsden, Ala.; Grand Junction, Colo.; Montrose, Colo.; Durango, Colo.; Sterling, Colo.; Newman, Ga.; Benton, Ill.; Salina, Kans.; Chillicothe, Mo.; Roswell, N. Mex.; Bryson City, N. C.; Shelby, N. C.; Ardmore, Okla.; Guthrie, Okla.; Aberdeen, S. Dak.; Pierre, S. Dak.; Deadwood, S. Dak.;

Ogden, Utah; Casper, Wyo.; Evanston, Wyo.; or Lander, Wyo.; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein."

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. O'NEAL. Mr. Chairman, all this amendment provides is simply a limitation on the use of these funds for opening the offices which are not now open, and which have no business in prospect. The amendment further provides of course that nothing in the amendment shall stop anyone from holding court there or carrying on business should any business develop.

We have had a great deal of heat about this whole thing, but the committee did not realize that an effort to stop a little useless expenditure such as was set up by these various offices, would create so much furor. This amendment is very simple. I think it will hurt no one. It has a tendency to prevent useless expenditures.

The other part of the bill which was stricken out I think would have saved a little more. But if it is of such vital importance to the membership of this House to retain the last little item of that sort, the committee has no particular feeling about it.

I trust that on this amendment, where there is a chance of saving a little money, the membership will support the committee.

Mr. WALTER. Will the gentleman yield?

Mr. O'NEAL. I will be glad to yield.

Mr. WALTER. Would the gentleman tell us how much would be saved if this amendment were adopted?

Mr. O'NEAL. No court would be held.

Mr. WALTER. So that nothing would be saved.

Mr. O'NEAL. I told the gentleman it would prevent; not save.

Mr. CASE. Will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. CASE. Does the gentleman mean that no courts are being held at the points named?

Mr. O'NEAL. They are not keeping them open. The money to open those offices is provided, but it keeps them from maintaining and opening an office and causing expenditures for that purpose.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. VORYS of Ohio. Is there provision otherwise in the bill for paying the traveling expense of opening these offices?

Mr. O'NEAL. Certainly. It specifically says in this amendment that they may still go there and hold court.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

All time on this paragraph and all amendments thereto has expired.

Mr. TABER. Mr. Chairman, if the Chair will permit a parliamentary inquiry—

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Is this not a new paragraph that has been offered and the debate has not been closed upon it?

The CHAIRMAN. The unanimous-consent request applied to the paragraph and all amendments that might be offered on this same subject.

Mr. MICHENER. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. This amendment offered by the gentleman from Kentucky, chairman of the subcommittee, accomplishes exactly the same result as the part that was stricken from the bill.

Mr. O'NEAL. The gentleman is quite a stickler for order. I think that parliamentary inquiry is not quite up to the high standards the gentleman has been contending for.

Mr. CASE. As I recall the unanimous-consent request made by the chairman of the subcommittee awhile back, was that all debate on this amendment and all amendments to this paragraph close in 15 minutes. That time has expired. That paragraph was disposed of by the adoption of an amendment striking it out. As I understand it, the amendment now before us is a new paragraph.

The CHAIRMAN. The unanimous-consent request applied to the subject matter involved in the paragraph.

The question is on the amendment offered by the gentleman from Kentucky [Mr. O'NEAL].

The question was taken; and on a division (demand by Mr. WALTER) there were—ayes 102 and noes 35.

So the amendment was agreed to.

The Clerk read as follows:

Miscellaneous expenses (other than salaries): For such miscellaneous expenses as may be authorized or approved by the Director of the Administrative Office of the United States Courts, for the United States courts and their officers, including rent of rooms for United States courts and judicial officers; supplies and equipment, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; stenographic reporting services without regard to section 3709, Revised Statutes, provided that the rates of payment shall not exceed those fixed by the district court pursuant to rule 80 (b), Federal Rules of Civil Procedure, in the jurisdiction of which the services are rendered; purchase of lawbooks, including the exchange thereof, for United States judges, and other judicial officers, including the libraries of the United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, \$390,000: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased hereunder to be marked plainly, "The property of the United States": *Provided further*, That not to exceed \$2 per volume shall be paid for the current and future volumes of the United States Code, Annotated, and that the reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume.

Mr. CASE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the subject has been worn threadbare this afternoon, but I think we should not let the record go without challenging a statement made by the distinguished chairman of the subcommittee. If I understood him correctly, at one point he said that court was not being held at any of the places

covered in his amendment last adopted. That simply is not the situation, and if the gentleman were given that information in the hearings before the committee he was given misinformation.

Mr. O'NEAL. Will the gentleman yield?

Mr. CASE. I will be glad to yield.

Mr. O'NEAL. The gentleman from Kentucky did not mean to give any such impression, and specifically in the amendment it is provided that court may be held there. The gentleman from Kentucky said that they did not maintain offices there and that is what they attempted to prohibit. Of course, they can hold court, and the amendment specifically states it.

Mr. CASE. Then, for the purpose of having the legislative history clear as to the construction of that provision, I would like to ask the chairman of the subcommittee his opinion if such a situation as this occurred: Court is held at Deadwood, S. Dak., and held there regularly. It is over 400 miles across the State to the home of the district court in the city of Sioux Falls. Assume a session of court is about to be held at Deadwood. The clerk must come in advance and make certain arrangements. Following the session of court it is often necessary for somebody to remain there to take care of the details of commitments and the arranging of bail and other things of that sort. Under the language in the latter part of the gentleman's amendment, would it be permissible for the judge of the district court to assign a clerk to be at Deadwood in advance of the session and to continue there, following the holding of court, to take care of the details and clean up the business of that session of the court?

Mr. O'NEAL. It certainly would. There is nothing in the amendment that would in any way interfere with that.

Mr. CASE. I appreciate that statement, because I want the legislative intent to be clear. The latter part of the O'Neal amendment means, then, that the office of clerk may be opened in advance of a session and continued afterward as may be necessary to the holding of a session of court at the places named. That is, although the court itself may have adjourned, it would be possible for the clerk to stay there and clean up the business; take care of bail, commitments, receive papers, and handle other things connected with a session of the court.

Mr. O'NEAL. That is correct.

Mr. CASE. I thank the gentleman, and I yield back the balance of my time, Mr. Chairman.

Mr. SUMNERS of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SUMNERS of Texas. Have we passed the proviso on page 57 of the bill?

The CHAIRMAN. That has been read.

Mr. SUMNERS of Texas. Where is the Clerk about to read?

The CHAIRMAN. The Clerk is prepared to begin reading at line 6, page 60.

Mr. SUMNERS of Texas. Would it be in order to move to strike out the proviso to which I referred?

The CHAIRMAN. That could be done only by unanimous consent to return to the paragraph.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to return to that paragraph for the purpose of getting some information.

Mr. O'NEAL. If all the gentleman wants is information he can move to strike out the last word and get the floor for 5 minutes.

Mr. SUMNERS of Texas. It seems to me that this proviso constitutes legislation on an appropriation bill. I am not sure of the status of the present provision, but it makes these probation officers subject to control of the Department of Justice.

Mr. TABER. I reserve the right to object, but I will yield to the gentleman from Kentucky to explain this particular question.

Mr. O'NEAL. This proviso, I may say to the gentleman from Texas, has been in the bill for many years.

Mr. SUMNERS of Texas. I thank the gentleman.

The Clerk concluded the reading of the bill.

Mr. O'NEAL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 2409) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes, directed him to report the same back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. O'NEAL. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. H. CARL ANDERSEN. Mr. Speaker, I demand a separate vote on the Keogh amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. KEOGH: On page 26, line 17, insert "Revision of the law: For preliminary work in connection with the preparation of a new edition of the United States Code, including the correction of errors as authorized by the act approved March 2, 1929, Revised Statutes 1541, fiscal year 1944, \$100,000 to be expended under the supervision of the Committee on the Revision of the Laws."

The SPEAKER. The question is on the amendment.

The question was taken; and on division (demanded by Mr. H. CARL ANDERSEN) there were—ayes 92, noes 72.

Mr. H. CARL ANDERSEN. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and ten Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll; and there were—ayes 177, noes 184, not voting 73, as follows:

[Roll No. 48]

YEAS—177

Andresen, August H.	Hagen	Murray, Tenn.
Barden	Hale	Myers
Barry	Hall	Newsome
Bennett, Mich.	Leonard W.	Norton
Bennett, Mo.	Hancock	O'Brien, Mich.
Bishop	Harless, Ariz.	O'Connor
Bloom	Hart	O'Hara
Brown, Ga.	Hébert	O'Leary
Buckley	Heffernan	Peterson, Fla.
Bulwinkle	Heidinger	Peterson, Ga.
Burchill, N. Y.	Hendricks	Philbin
Butler	Herter	Pittenger
Camp	Hess	Poage
Capozzoli	Hinshaw	Price
Celler	Hobbs	Priest
Chenoweth	Hoch	Rabaut
Chiperfield	Holfield	Ramey
Church	Holmes, Wash.	Rankin
Clason	Horan	Reed, Ill.
Clevenger	Hull	Rivers
Coffee	Jeffrey	Robertson
Cole, Mo.	Jensen	Robison, Ky.
Cole, N. Y.	Johnson	Rogers, Calif.
Compton	Lyndon B.	Rohrbough
Cooley	Judd	Rolph
Cooper	Kearney	Rowan
Costello	Keefe	Sadowski
Courtney	Kefauver	Sasser
Cravens	Kelley	Satterfield
Culkin	Keogh	Schuetz
Curley	Kilday	Scott
Curtis	King	Shafer
D'Alesandro	Kirwan	Sheppard
Davis	Kleberg	Sheridan
Day	Klein	Short
Delaney	Kunkel	Sikes
Dickstein	LaFollette	Slaughter
Dillweg	Lane	Stanley
Disney	Lanham	Stegall
Domengeaux	Lea	Stewart
Doughton	LeFevre	Sullivan
Douglas	Lemke	Summers, Tex.
Drewry	Lesinski	Talle
Eberhart	Lynch	Tolan
Fay	McCord	Troutman
Fellows	McCowan	Vincent, Ky.
Fenton	McMurray	Voorhis, Calif.
Fernandez	Madden	Wadsworth
Fitzpatrick	Magnuson	Walter
Forand	Maloney	Wasielewski
Gale	Manasco	Weiss
Gallagher	Mansfield	Wene
Gamble	Mont.	West
Gathings	Marcanonio	Whelchel, Ga.
Gavagan	Merritt	Whitten
Gossett	Miller, Conn.	Wickersham
Graham	Miller, Pa.	Wolfenden, Pa.
Green	Monroney	Wright
Gregory	Morrison, N. C.	Zimmerman
Gross	Murdock	
	Murphy	

NAYS—184

Abernethy	Burch, Va.	Ellison, Md.
Allen, La.	Burdick	Ellsworth
Andersen, H. Carl	Burgin	Elmer
Angell	Busbey	Elston, Ohio
Arends	Canfield	Engel
Arnold	Cannon, Mo.	Englebright
Auchincloss	Carlson, Kans.	Feighan
Baldwin, Md.	Carson, Ohio	Fish
Baldwin, N. Y.	Carter	Fisher
Barrett	Case	Flannagan
Beckworth	Chapman	Folger
Bender	Cochran	Fulbright
Blackney	Colmer	Fulmer
Bland	Crawford	Gavin
Bolton	Creal	Gearhart
Bonner	Crosser	Gerlach
Boren	Cunningham	Gifford
Bradley, Mich.	Dewey	Gilchrist
Brehm	Dirksen	Gillette
Brooks	Ditter	Gillie
Brown, Ohio	Dondero	Goodwin
Bryson	Durham	Granger
Buffett	Dworshak	Grant, Ala.
	Ellis	Grant, Ind.

Griffiths	McGehee	Sauthoff
Gwynne	McGregor	Schiffner
Hall,	McLean	Schwabe
Edwin Arthur	McMillan	Simpson, Ill.
Halleck	McWilliams	Smith, Ohio
Hare	Mahon	Smith, W. Va.
Harness, Ind.	Mansfield, Tex.	Smith, Wis.
Harris, Ark.	Martin, Iowa	Sparkman
Harris, Va.	Martin, Mass.	Springer
Hays	Mason	Stearns, N. H.
Hill	May	Stefan
Hoeven	Merrow	Stockman
Hoffman	Michener	Sumner, Ill.
Hope	Miller, Mo.	Sundstrom
Howell	Miller, Nebr.	Taber
Jackson	Mills	Talbot
Jarman	Monkiewicz	Tarver
Jenkins	Mruk	Taylor
Jennings	Mundt	Thomas, N. J.
Johnson	Murray, Wis.	Thomas, Tex.
Anton J.	Norman	Tibbott
Johnson,	O'Brien, N. Y.	Towe
Calvin D.	O'Konski	Van Zandt
Johnson, Ind.	O'Neal	Vinson, Ga.
Johnson,	Pace	Vorsy, Ohio
J. Leroy	Patton	Vursell
Johnson,	Phillips	Ward
Luther A.	Ploeser	Weichel, Ohio
Johnson, Okla.	Poulson	Welch
Johnson, Ward	Ramspeck	Wheat
Jones	Randolph	White
Jonkman	Reece, Tenn.	Whittington
Kean	Reed, N. Y.	Wigglesworth
Kilburn	Rees, Kans.	Willey
Kinzer	Rizley	Winstead
Lambertson	Rockwell	Wolcott
Landis	Rodgers, Pa.	Woodrum, Va.
LeCompte	Rogers, Mass.	Worley
Lewis, Ohio	Rowe	
Ludlow	Russell	

NOT VOTING—73

Allen, Ill.	Gordon	Patman
Anderson, Calif.	Gore	Pfeifer
Anderson,	Gorski	Plumley
N. Mex.	Guyer	Powers
Andrews	Hartley	Pracht
Bates, Ky.	Holmes, Mass.	Richards
Bates, Mass.	Izac	Robinson, Utah
Beall	Kee	Sabath
Bell	Kennedy	Scanlon
Boykin	Kerr	Simpson, Pa.
Bradley, Pa.	Knutson	Smith, Maine
Byrne	Larcade	Smith, Va.
Cannon, Fla.	Lewis, Colo.	Snyder
Clark	Luce	Somers, N. Y.
Cox	McCormack	Spence
Cullen	McGranery	Starnes, Ala.
Dawson	McKenzie	Stevenson
Dies	Maas	Thomason
Dingell	Morrison, La.	Treadway
Eaton	Mott	Weaver
Elliott	Nichols	Wilson
Fogarty	Norrell	Winter
Ford	O'Brien, Ill.	Wolverton, N. J.
Furlong	O'Toole	Woodruff, Mich.
Gibson	Outland	

So the amendment was rejected.

The Clerk announced the following pairs:

General pairs:

Mr. Weaver with Mr. Eaton.
 Mr. Fogarty with Mr. Plumley.
 Mr. Cullen with Mr. Guyer.
 Mr. Outland with Mr. Hartley.
 Mr. Gordon with Mr. Stevenson.
 Mr. Dingell with Mr. Holmes of Massachusetts.
 Mr. McCormack with Mr. Treadway.
 Mr. O'Brien of Illinois with Mr. Knutson.
 Mr. Starnes of Alabama with Mr. Simpson of Pennsylvania.
 Mr. O'Toole with Mr. Powers.
 Mr. Gorski with Mrs. Luce.
 Mr. Larcade with Mr. Winter.
 Mr. Pfeifer with Mr. Pracht.
 Mr. Cox with Mrs. Smith of Maine.
 Mr. Morrison of Louisiana with Mr. Wolverton of New Jersey.
 Mr. Patman with Mr. Maas.
 Mr. Somers of New York with Mr. Beall.
 Mr. Clark with Mr. Woodruff of Michigan.
 Mr. Bates of Kentucky with Mr. Andrews.
 Mr. Byrne with Mr. Wilson.
 Mr. Cannon of Florida with Mr. Allen of Illinois.
 Mr. Kennedy with Mr. Mott.

Mr. GREEN changed his vote from "nay" to "yea."

The doors were opened.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

[The matter referred to appears in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PLOESER. Mr. Speaker, I ask unanimous consent that on Tuesday next the gentleman from Missouri [Mr. SCHWABE] may be permitted to address the House for 15 minutes at the conclusion of business on the Speaker's table and after any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. PLOESER]?

There was no objection.

EXTENSION OF REMARKS

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an editorial from the St. Louis Globe-Democrat.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. PLOESER]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an article appearing in the Catholic Weekly.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LESINSKI]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include an editorial from the New York Herald Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

There was no objection.

[The matter referred to appears in the Appendix.]

(Mr. PETERSON of Florida asked and was given permission to extend his own remarks in the Record.)

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a resolution passed by the city council of Chicago.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARCANTONIO]?

There was no objection.

[The matter referred to appears in the Appendix.]

CORRECTION OF THE RECORD

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to correct for the permanent Record the speech I made on the floor April 7, appearing on page 3111. In the second paragraph, line 9, should read "and especially its unpatriotic block plan." On page 3112, line 11, should read "a victim of the purge of 1938 by Niles and Hopkins."

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. BRADLEY]?

There was no objection.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a letter received from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. BRADLEY]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. MRUK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include two resolutions adopted by the legislature of my State.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MRUK]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

LEGISLATIVE PROGRAM

Mr. McCORMACK. Mr. Speaker, may I announce to the House that it is the intention to proceed with consideration of the rule making in order the Hobbs bill for 30 or 40 minutes, but not to com-

78TH CONGRESS
1ST SESSION

H. R. 2409

IN THE SENATE OF THE UNITED STATES

APRIL 9 (legislative day, APRIL 6), 1943

Read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, for the Legis-
5 lative Branch and for the Judiciary for the fiscal year ending
6 June 30, 1944, namely:

1 TITLE I—LEGISLATIVE BRANCH

2 SENATE

3 SALARIES AND MILEAGE OF SENATORS

4 For compensation of Senators, \$960,000.

5 For mileage of the President of the Senate and of
6 Senators, \$51,000.7 For compensation of officers, clerks, messengers, and
8 others:

9 OFFICE OF THE VICE PRESIDENT

10 Salaries: For clerical assistance to the Vice President,
11 at rates of compensation to be fixed by him, \$11,460.

12 CHAPLAIN

13 Chaplain of the Senate, \$1,680.

14 OFFICE OF THE SECRETARY

15 Salaries: Secretary of the Senate, including compensa-
16 tion as disbursing officer of salaries of Senators and of
17 contingent fund of the Senate, \$8,000; Chief Clerk, who
18 shall perform the duties of reading clerk, \$5,500 and \$1,500
19 additional so long as the position is held by the present
20 incumbent; financial clerk, \$5,000 and \$1,000 additional
21 so long as the position is held by the present incumbent;
22 assistant financial clerk, \$4,500; Parliamentarian, \$5,000
23 and \$1,500 additional so long as the position is held by
24 the present incumbent; Journal Clerk, \$4,000 and \$500
25 additional so long as the position is held by the present in-

1 cumbent; principal clerk \$4,000; legislative clerk, \$4,000
 2 and \$1,000 additional so long as the position is held by
 3 the present incumbent; enrolling clerk, \$4,000; printing
 4 clerk, \$3,540 and \$460 additional so long as the position
 5 is held by the present incumbent; chief bookkeeper, \$3,600;
 6 librarian, \$3,600; executive clerk, \$3,180 and \$420 addi-
 7 tional so long as the position is held by the present in-
 8 cumbent; first assistant librarian, \$3,120; keeper of
 9 stationery, \$3,320; clerks—one at \$3,600, one at \$3,360,
 10 one at \$3,180, three at \$2,880 each, one at \$2,640 and
 11 \$660 additional so long as the position is held by the
 12 present incumbent, two at \$2,640 each, clerk in Disbursing
 13 Office, \$2,400, six at \$2,400 each, three at \$1,860 each,
 14 three at \$1,740 each; assistant in library, \$1,440; special
 15 officer, \$2,460; assistants at the press door—one at \$2,200,
 16 one at \$1,900; messenger, \$1,260; laborers—one at \$1,800,
 17 one at \$1,620, four at \$1,440 each, one at \$1,380, one in
 18 Secretary's office, \$1,680, one \$1,560, one, \$1,260; in all,
 19 \$150,020.

20

DOCUMENT ROOM

21 Salaries: Superintendent, \$3,960 and \$1,040 additional
 22 so long as the position is held by the present incumbent;
 23 first assistant, \$2,640; second assistant, \$2,040; four assist-
 24 ants, at \$2,040 each; skilled laborer, \$1,380; in all,
 25 \$19,220.

1 COMMITTEE EMPLOYEES

2 Clerks and messengers to the following committees:
 3 Agriculture and Forestry—clerk, \$3,900; assistant clerk,
 4 \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400;
 5 assistant clerk, \$2,220; additional clerk, \$1,800. Appro-
 6 priations—clerk, \$7,000 and \$1,000 additional so long as
 7 the position is held by the present incumbent; assistant
 8 clerk, \$4,800; assistant clerk, \$3,900; three assistant clerks
 9 at \$3,000 each; two assistant clerks at \$2,220 each; mes-
 10 senger, \$1,800. To Audit and Control the Contingent
 11 Expenses of the Senate—clerk, \$3,900; assistant clerk,
 12 \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220;
 13 additional clerk, \$1,800. Banking and Currency—clerk,
 14 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400;
 15 assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assist-
 16 ant clerk, \$2,400; assistant clerk, \$2,220; additional clerk,
 17 \$1,800. Claims—clerk, \$3,900; assistant clerk, \$2,880; as-
 18 sistant clerk, \$2,580; two assistant clerks at \$2,220 each.
 19 Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant
 20 clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks
 21 at \$2,220 each. Conference Majority of the Senate—clerk,
 22 \$3,900; assistant clerk, \$2,880; two assistant clerks at
 23 \$2,580 each; assistant clerk, \$2,220. Conference Minority
 24 of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two
 25 assistant clerks at \$2,580 each; assistant clerk, \$2,220. Dis-

1 trict of Columbia—clerk, \$3,900; two assistant clerks at
 2 \$2,880 each; assistant clerk, \$2,220; additional clerk,
 3 \$1,800; additional clerical assistance at rates of compensation
 4 to be fixed by the chairman of said committee, \$6,000. Edu-
 5 cation and Labor—clerk, \$3,900; assistant clerk, \$2,580;
 6 assistant clerk, \$2,220; additional clerk, \$1,800. Enrolled
 7 Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 8 \$2,220; assistant clerk, \$1,800; additional clerk, \$1,800.
 9 Expenditures in the Executive Departments—clerk, \$3,900;
 10 assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 11 tional clerk, \$1,800. Finance—clerk, \$4,200 and \$500
 12 additional so long as the position is held by the pres-
 13 sent incumbent; special assistant to the committee, \$3,600;
 14 assistant clerk, \$2,880; assistant clerk, \$2,700; assist-
 15 ant clerk, \$2,400; two assistant clerks at \$2,220 each;
 16 two experts (one for the majority and one for the minority)
 17 at \$3,600 each; messenger, \$1,800. Foreign Relations—
 18 clerk, \$3,900; assistant clerk, \$2,880; assistant clerk,
 19 \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800;
 20 messenger, \$1,800. Immigration—clerk, \$3,900; assistant
 21 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 22 \$1,800. Indian Affairs—clerk, \$3,900; assistant clerk,
 23 \$3,600 and \$1,400 additional so long as the position
 24 is held by the present incumbent; assistant clerk, \$2,880;
 25 assistant clerk, \$2,400; assistant clerk, \$2,220; additional

1 clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant
 2 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 3 \$1,800. Interstate Commerce—clerk, \$3,900; assistant
 4 clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at
 5 \$2,580 each; assistant clerk, \$2,220. Irrigation and Rec-
 6 lamation—clerk, \$3,900; assistant clerk, \$2,580; assistant
 7 clerk, \$2,220; two additional clerks at \$1,800 each. Judici-
 8 ary—clerk, \$3,900; assistant clerk, \$2,880; two assistant
 9 clerks at \$2,580 each; assistant clerk, \$2,220. Library—
 10 clerk, \$3,900; two assistant clerks at \$2,400 each; assistant
 11 clerk, \$2,220; additional clerk, \$1,800. Manufactures—
 12 clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 13 \$2,220; additional clerk, \$1,800. Military Affairs—clerk,
 14 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; as-
 15 sistant clerk, \$2,400; two assistant clerks at \$2,220 each.
 16 Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400;
 17 assistant clerk, \$2,220; two additional clerks at \$1,800 each.
 18 Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assist-
 19 ant clerk, \$2,400; two assistant clerks at \$2,220 each. Pat-
 20 ents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 21 \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900;
 22 assistant clerk, \$2,580; four assistant clerks at \$2,220 each
 23 Post Offices and Post Roads—clerk, \$3,900; assistant clerk,
 24 \$2,880; assistant clerk, \$2,520; three assistant clerks at
 25 \$2,220 each; additional clerk, \$1,800. Printing—clerk.

1 \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 2 tional clerk, \$1,800. Privileges and Elections—clerk, \$3,900;
 3 assistant clerk, \$2,400; assistant clerk, \$2,220; addi-
 4 tional clerk, \$1,800. Public Buildings and Grounds—clerk,
 5 \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220;
 6 assistant clerk, \$2,000; additional clerk, \$1,800. Public
 7 Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880;
 8 assistant clerk, \$2,580; two assistant clerks at \$2,220 each.
 9 Rules—clerk, \$3,900 and \$200 toward the preparation bi-
 10 ennially of the Senate Manual under the direction of the Com-
 11 mittee on Rules; assistant clerk, \$2,880; assistant
 12 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 13 \$1,800. Territories and Insular Affairs—clerk, \$3,900;
 14 assistant clerk, \$2,580; two assistant clerks at \$2,220 each;
 15 two assistant clerks at \$2,000 each; additional clerk,
 16 \$1,800; in all, \$507,740.

17 CLERICAL ASSISTANCE TO SENATORS

18 Clerical assistance to Senators who are not chairmen of
 19 the committees specially provided for herein, as follows:
 20 Seventy clerks at \$3,900 each; seventy assistant clerks at
 21 \$2,400 each; and seventy assistant clerks at \$2,220 each;
 22 such clerks and assistant clerks shall be ex officio clerks and
 23 assistant clerks of any committee of which their Senator is
 24 chairman; seventy additional clerks at \$1,800 each, one for
 25 each Senator having no more than one clerk and two assistant

1 clerks for himself or for the committee of which he is chair-
 2 man; messenger, \$1,800; in all, \$724,200.

3 Ninety-six additional clerks at \$1,800 per annum each,
 4 one for each Senator, \$172,800.

5 Ninety-six additional clerks at \$1,800 per annum each,
 6 one for each Senator, \$172,800.

7 Twenty-eight additional clerks at \$1,500 per annum
 8 each, one for each Senator from each State which has a popu-
 9 lation of three million or more inhabitants, \$42,000.

10 For three additional clerks at \$1,500 per annum each for
 11 each Senator from any State which has a population of ten
 12 million or more inhabitants, \$9,000; for two additional clerks
 13 at \$1,500 per annum each for each Senator from any State
 14 which has a population of five million or more inhabitants but
 15 less than ten million, \$36,000, in all, \$45,000: *Provided*,
 16 That such additional clerks shall be in addition to any other
 17 clerical assistance to which Senators are entitled, and shall
 18 be employed only during the period of the emergency.

19 Senators and chairmen of standing committees may re-
 20 arrange or change the schedule of salaries and the number
 21 of employees in their respective offices or committees: *Pro-*
 22 *vided*, That such changes shall not increase the aggregate of
 23 the salaries provided for such offices or committees by law
 24 or Senate resolution: *Provided further*, That no salary shall
 25 be fixed hereunder at a rate in excess of \$4,500 per annum

1 and no action shall be taken to reduce any salary which is
 2 specifically fixed by law at a rate higher than \$4,500: *Pro-*
 3 *vided further*, That Senators and committee chairmen, on
 4 or before the first day of the month in which such changes
 5 are to become effective, shall certify in writing such changes
 6 or rearrangements to the disbursing office which shall there-
 7 after pay such employees in accord with such changed
 8 schedule.

9 In all, clerical assistance to Senators, \$1,156,800.

10 OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

11 Salaries: Sergeant at Arms and Doorkeeper, \$8,000;
 12 two secretaries (one for the majority and one for the minor-
 13 ity), at \$5,400 each and \$1,500 additional each so long as
 14 the respective positions are held by the present respective
 15 incumbents; two assistant secretaries (one for the majority
 16 and one for the minority), at \$4,320 each and \$480 addi-
 17 tional each so long as the respective positions are held by the
 18 present respective incumbents; Deputy Sergeant at Arms
 19 and storekeeper, \$4,800 and \$1,000 additional so long as
 20 the position is held by the present incumbent; clerks—one
 21 \$3,120, one \$2,200, one \$2,100, one \$2,120, one \$1,800,
 22 one to the secretary for the majority, \$2,280 and \$120 addi-
 23 tional so long as the position is held by the present incum-
 24 bent, one to the secretary for the minority, \$2,280, one

1 \$1,500; assistant doorkeeper, \$2,880; messengers—three
2 (acting as assistant doorkeepers) at \$2,400 each; one at
3 \$1,740 and \$260 additional so long as the position is held
4 by the present incumbent; twenty-nine (including four for
5 minority) at \$1,740 each; four at \$1,620 each; one at card
6 door, \$2,640, and \$240 additional so long as the position is
7 held by the present incumbent; clerk on Journal work for
8 Congressional Record to be selected by the Official Reporters,
9 \$3,360; upholsterer and locksmith, \$2,600; cabinetmaker,
10 \$2,040; three carpenters at \$2,040 each; janitor, \$2,400;
11 five skilled laborers, \$1,680 each; laborer in charge of private
12 passage, \$1,740 and \$120 additional so long as the position
13 is held by the present incumbent; four female attendants in
14 charge of ladies' retiring rooms, at \$1,500 each; three female
15 attendants in charge of ladies' retiring rooms, Senate Office
16 Building, at \$1,500 each; attendant authorized by S. Res.
17 252, adopted May 13, 1938, \$1,500; telephone operators—
18 chief \$2,460 and \$280 additional so long as the position is
19 held by the present incumbent; fourteen at \$1,620 each;
20 laborer in charge of Senate toilet rooms in old library space,
21 \$1,200; press gallery—superintendent, \$3,660; assistant
22 superintendent, \$3,000; assistant superintendent, \$1,920;
23 messengers for service to press correspondents—two at \$1,560
24 each, two at \$1,440 each; radio press gallery—superintend-

ent, \$3,000; assistant superintendent, \$1,960; laborers—
 three at \$1,380 each, thirty at \$1,260 each, three at \$480
 each; special employees—seven at \$1,000 each; twenty-one
 pages for the Senate Chamber, at the rate of \$4 per day each,
 during the session, \$15,288; in all, \$277,228.

Police force for Senate Office Building under the Ser-
 geant at Arms: Lieutenant, \$1,740; special officer, \$1,740;
 three sergeants at \$1,680 each; twenty-eight privates at
 \$1,620 each; in all, \$53,880.

POST OFFICE

Salaries: Postmaster, \$3,600; assistant postmaster,
 \$2,880; chief clerk, \$2,460; wagon master, \$2,280; twenty-
 six mail carriers, at \$1,740 each; in all, \$56,460.

FOLDING ROOM

Salaries: Foreman, \$2,460 and \$540 additional so long
 as the position is held by the present incumbent; clerk,
 \$2,280; clerk, \$1,740; folders—chief, \$2,040, fourteen at
 \$1,440 each; in all, \$29,220.

CONTINGENT EXPENSES OF THE SENATE

Vice President's automobile: For purchase, exchange,
 driving, maintenance, and operation of an automobile for the
 Vice President, \$4,000.

Reporting Senate proceedings: For reporting the

1 debates and proceedings of the Senate, payable in equal
2 monthly installments, \$66,340.

3 Furniture: For services in cleaning, repairing, and
4 varnishing furniture, \$2,000.

5 Furniture: For materials for furniture and repairs of
6 same, exclusive of labor, and for the purchase of furniture,
7 \$8,000.

8 Inquiries and investigations: For expenses of inquiries
9 and investigations ordered by the Senate, including com-
10 pensation to stenographers of committees, at such rate as
11 may be fixed by the Committee to Audit and Control the
12 Contingent Expenses of the Senate, but not exceeding 25
13 cents per hundred words, \$150,000: *Provided*, That no
14 part of this appropriation shall be expended for per diem
15 and subsistence expenses except in accordance with the pro-
16 visions of the Subsistence Expense Act of 1926, approved
17 June 3, 1926, as amended.

18 Joint Committee on Internal Revenue Taxation: For
19 payment of one-half of the salaries and other expenses of the
20 Joint Committee on Internal Revenue Taxation as author-
21 ized by law, \$30,000.

22 Folding documents: For folding speeches and pamphlets
23 at a rate not exceeding \$1 per thousand, \$18,000.

24 For materials for folding, \$1,500.

1 Fuel, and so forth: For fuel, oil, cotton waste, and
2 advertising, exclusive of labor, \$2,000.

3 Senate restaurants: For repairs, improvements, equip-
4 ment, and supplies for Senate kitchens and restaurants,
5 Capitol Building, and Senate Office Building, including per-
6 sonal and other services, to be expended from the contingent
7 fund of the Senate, under the supervision of the Committee
8 on Rules, United States Senate, \$35,000.

9 Motor vehicles: For maintaining, exchanging, and
10 equipping motor vehicles for carrying the mails and for
11 official use of the offices of the Secretary and Sergeant at
12 Arms, \$8,760.

13 Miscellaneous items: For miscellaneous items, exclusive
14 of labor, \$350,000.

15 Packing boxes: For packing boxes, \$970.

16 Postage stamps: For office of Secretary, \$350; office of
17 Sergeant at Arms, \$150; in all, \$500.

18 Air-mail stamps: For air-mail stamps for Senators and
19 the President of the Senate, as authorized by law, \$4,850.

20 Stationery: For stationery for Senators and for the Presi-
21 dent of the Senate, including \$7,500 for stationery for com-
22 mittees and offices of the Senate, \$26,900.

23 Rent: For rent of warehouse for storage of public
24 documents, \$2,000.

1 HOUSE OF REPRESENTATIVES

2 SALARIES AND MILEAGE OF MEMBERS

3 For compensation of Members of the House of Repre-
 4 sentatives, Delegates from Territories, and the Resident
 5 Commissioner from Puerto Rico, \$4,385,000.

6 For mileage of Representatives, the Delegate from
 7 Hawaii and the Resident Commissioner from Puerto Rico,
 8 and for expenses of the Delegate from Alaska, \$171,000.

9 For compensation of officers, clerks, messengers, and
 10 others:

11 OFFICE OF THE SPEAKER

12 Salaries: Secretary to the Speaker, \$4,620; three clerks
 13 to the Speaker, at \$2,400 each; messenger to Speaker,
 14 \$1,680; in all, \$13,500.

15 THE SPEAKER'S TABLE

16 Salaries: Parliamentarian \$5,000, and \$2,500 additional
 17 so long as the position is held by the present incumbent, and
 18 for preparing Digest of the Rules, \$1,000 per annum; As-
 19 sistant Parliamentarian, \$3,000 and \$1,500 additional so
 20 long as the position is held by the present incumbent; mes-
 21 senger to Speaker's table, \$1,740 and \$660 additional so
 22 long as the position is held by the present incumbent; in
 23 all, \$15,400.

24 CHAPLAIN

25 Chaplain of the House of Representatives, \$1,680, and

1 \$820 additional so long as the position is held by the present
2 incumbent.

3 OFFICE OF THE CLERK

4 Salaries: Clerk of the House of Representatives, in-
5 cluding compensation as disbursing officer of the contingent
6 fund, \$8,000; Journal clerk, two reading clerks, and tally
7 clerk, at \$5,000 each; enrolling clerk, \$4,000; disbursing
8 clerk, \$3,960 and \$1,040 additional so long as the position
9 is held by the present incumbent; file clerk, \$3,780; chief
10 bill clerk, \$3,540; assistant enrolling clerk, \$3,900; assist-
11 ant tally clerk, \$3,600; assistant reading clerk, \$3,600,
12 to continue available under the limitations of House
13 Resolution Numbered 241, adopted June 20, 1941; assistant
14 to disbursing clerk, \$3,120; stationery clerk, \$2,880; librar-
15 ian, \$2,760; assistant librarian and assistant file clerk, at
16 \$2,520 each; assistant Journal clerk and assistant librarian,
17 at \$2,460 each; clerks—one at \$2,460, four at \$2,340 each;
18 bookkeeper and assistant in disbursing office, at \$2,160 each;
19 assistant in disbursing office, \$1,800; three assistants to
20 chief bill clerk at \$2,100 each; stenographer to the Clerk,
21 \$2,500; assistant in stationery room, \$1,740; three mes-
22 sengers at \$1,680 each; stenographer to Journal clerk,
23 \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each;
24 telephone operators—assistant chief, \$1,800, twenty-three
25 at \$1,620 each; substitute telephone operator, when re-

1 quired, at \$4 per day, \$1,464; property custodian and
 2 superintendent of furniture and repair shop, who shall be
 3 a skilled cabinetmaker or upholsterer and experienced in
 4 the construction and purchase of furniture, \$3,960; two
 5 assistant custodians at \$3,360 each; locksmith and type-
 6 writer repairer, \$1,860; messenger and clock repairer,
 7 \$1,740; operation, maintenance, and repair of motor ve-
 8 hicles, \$1,200; in all, \$182,144.

9 COMMITTEE EMPLOYEES

10 Clerks, messengers, and janitors to the following com-
 11 mittees: Accounts—clerk, \$3,300; assistant clerk, \$2,460;
 12 janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk,
 13 \$2,460; janitor, \$1,560. Appropriations—clerk, \$7,000 and
 14 \$1,000 additional so long as the position is held by the pres-
 15 ent incumbent; assistant clerk, \$5,000 and \$2,500 additional
 16 so long as the position is held by the present incumbent;
 17 assistant clerk, \$3,900 and \$1,100 additional so long as the
 18 position is held by the present incumbent; two assistant clerks
 19 at \$3,900 each and \$600 each additional so long as the
 20 respective positions are held by the present respective
 21 incumbents; assistant clerk, \$3,900; assistant clerk, \$3,300
 22 and \$600 additional so long as the position is held by
 23 the present incumbent; additional clerical assistants at rates
 24 to be fixed by the chairman of the Committee on Appropria-
 25 tions, \$15,960; messenger, \$1,680; four clerk-stenographers

1 at the annual rate of \$1,800 each, one for each subcommittee
 2 of the Committee on Appropriations having jurisdiction over
 3 a regular annual appropriation bill as shall be designated by
 4 the chairman of the Committee on Appropriations and to be
 5 appointed by the chairmen of the subcommittees so desig-
 6 nated, subject to the approval of the chairman, \$7,200.
 7 Banking and Currency—clerk, \$2,760; assistant clerk,
 8 \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor,
 9 \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260.
 10 Claims—clerk, \$3,300; assistant clerk, \$2,460; assistant clerk,
 11 \$1,800; janitor, \$1,260. Coinage, Weights, and Measures—
 12 clerk, \$2,760; janitor, \$1,260. Disposition of Executive
 13 Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300;
 14 assistant clerk, \$2,460; janitor, \$1,260. Education—clerk,
 15 \$2,760; janitor, \$1,260. Election of the President, Vice
 16 President, and Representatives in Congress—clerk, \$2,760.
 17 Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elec-
 18 tions Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections
 19 Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled
 20 Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in the
 21 Executive Departments—clerk, \$3,300; janitor, \$1,260.
 22 Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Af-
 23 fairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260.
 24 Immigration and Naturalization—clerk, \$3,300; assistant

1 clerk, \$2,400; janitor, \$1,260. Indian Affairs—clerk,
 2 \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular
 3 Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and For-
 4 eign Commerce—clerk, \$3,900; additional clerk, \$2,640;
 5 assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Rec-
 6 lamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—
 7 clerk, \$3,300; assistant clerk, \$2,880; expert examiner,
 8 \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—
 9 clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980;
 10 janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk,
 11 \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor,
 12 \$1,260. Merchant Marine and Fisheries—clerk, \$2,760;
 13 assistant clerk, \$1,740; janitor, \$1,260. Military Affairs—
 14 clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560.
 15 Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval
 16 Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor,
 17 \$1,560. Patents—clerk, \$2,760; janitor, \$1,260. Pen-
 18 sions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260.
 19 Post Office and Post Roads—clerk, \$3,300; assistant clerk,
 20 \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor,
 21 \$1,560. Public Buildings and Grounds—clerk, \$3,300; as-
 22 sistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk,
 23 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision
 24 of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and
 25 Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor,

1 \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740;
 2 janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk,
 3 \$2,100; clerk-stenographer, \$1,800; janitor, \$1,260. Ter-
 4 ritories—clerk, \$2,760; janitor, \$1,260. War Claims—clerk,
 5 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and
 6 Means—clerk, \$4,620; assistant clerk, \$3,000; assistant clerk
 7 and stenographer, \$2,640; assistant clerk, \$2,580; clerk for
 8 minority, \$3,180 and \$420 additional so long as the position
 9 is held by the present incumbent; janitors—one, \$1,560; two
 10 at \$1,260 each. World War Veterans' Legislation—clerk,
 11 \$3,300; assistant clerk, \$2,460; in all, \$337,600.

12 OFFICE OF SERGEANT AT ARMS

13 Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant
 14 at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant
 15 cashier, \$4,000; two bookkeepers at \$3,360 each; Deputy
 16 Sergeant at Arms in charge of pairs, \$3,600; special assistant
 17 to Sergeant at Arms, \$2,400; pair clerk and messenger,
 18 \$2,820; stenographer, \$2,500; skilled laborer, \$1,380; hire
 19 of automobile, \$600; in all, \$41,200.

20 Police force, House Office Building, under the Sergeant
 21 at Arms: Lieutenant, \$1,740; three sergeants at \$1,680 each;
 22 thirty-five privates at \$1,620 each; in all, \$63,480.

23 OFFICE OF DOORKEEPER

24 Salaries: Doorkeeper, \$6,000; special employee, \$3,000;
 25 superintendent of House Press Gallery, \$3,660; assistants to

1 the superintendent of the House Press Gallery—one at
2 \$2,520, and \$300 additional so long as the position is held
3 by the present incumbent, and one at \$2,400; House Radio
4 Press Gallery—superintendent of radio room at \$2,700;
5 messenger at \$1,560; chief janitor, \$2,700; messengers—one
6 chief messenger, \$2,240, sixteen messengers at \$1,740 each,
7 fourteen on soldiers' roll at \$1,740 each; laborers—seventeen
8 at \$1,260 each, two (cloakroom) at \$1,380 each, one
9 (cloakroom), \$1,260, and seven (cloakroom) at \$1,140
10 each; three female attendants in ladies' retiring rooms at
11 \$1,680 each, attendant for the ladies' reception room,
12 \$1,440; superintendent of folding room, \$3,180 and \$420
13 additional so long as the position is held by the present in-
14 cumbent; foreman of folding room, \$2,640; chief clerk to
15 superintendent of folding room, \$2,460; three clerks at
16 \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one
17 folders at \$1,440 each; shipping clerk, \$1,740; two drivers at
18 \$1,380 each; two chief pages at \$1,980 each; two telephone
19 pages at \$1,680 each; two floor managers of telephones (one
20 for the minority) at \$3,180 each and \$300 each additional so
21 long as the respective positions are held by the respective
22 present incumbents; two assistant floor managers in charge of
23 telephones (one for the minority) at \$2,100 each; forty-
24 seven pages during the session, including ten pages for duty at

1 the entrances to the Hall of the House at \$4 per day
 2 each, \$34,216; superintendent of document room (Elmer
 3 A. Lewis), \$3,960 and \$1,040 additional so long as the
 4 position is held by the present incumbent; assistant super-
 5 intendent of document room, \$2,760; clerk, \$2,320; assistant
 6 clerk, \$2,160; eight assistants at \$1,860 each; janitor,
 7 \$1,440; messenger to press room (House Press Gallery),
 8 \$1,560; maintenance and repair of folding-room motortruck,
 9 \$500; in all, \$269,336.

10 SPECIAL AND MINORITY EMPLOYEES

11 For the minority employees authorized and named in
 12 the House Resolutions Numbered 51 and 53 of December 11,
 13 1931, as amended: Two at \$5,000 each, three at \$3,000
 14 each; one at \$3,600 and \$300 additional while the position
 15 is held by the present incumbent (minority pair clerk,
 16 House Resolution Numbered 313 of August 7, 1935); in
 17 all, \$22,900.

18 Special employees: Assistant foreman of the folding
 19 room, authorized in the resolution of September 30, 1913,
 20 \$1,980; laborer, authorized and named in the resolution of
 21 April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

22 Successors to any of the employees provided for in the
 23 two preceding paragraphs may be named by the House of
 24 Representatives at any time.

1 Office of majority floor leader: Legislative clerk, \$3,110;
2 clerk, \$2,530; additional clerk, \$2,000; two assistant clerks,
3 at \$1,800 each; for official expenses of the majority leader,
4 as authorized by House Resolution Numbered 101, Seventy-
5 first Congress, adopted December 18, 1929, \$2,000; in all,
6 \$13,240.

7 Conference minority: Clerk, \$3,180; legislative clerk,
8 \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all,
9 \$9,900. The foregoing employees to be appointed by the
10 minority leader.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at \$1,740 each; in all, \$3,480.

POST OFFICE

Salaries: Postmaster, \$5,000; assistant postmaster, \$2,880; two registry and money-order clerks, at \$2,100 each; forty messengers (including one to superintend transportation of mails), at \$1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed \$145 per month each, \$1,740; laborer, \$1,260; in all, \$84,680.

23 Motor vehicles: For the purchase, exchange, mainte-
24 nance, and repair of motor vehicles for carrying the mails,
25 \$2,200.

OFFICIAL REPORTERS OF DEBATES

1

2 Salaries: Seven official reporters of the proceedings and
3 debates of the House at \$7,500 each; clerk, \$4,000; assistant
4 clerk, \$2,000; six expert transcribers at \$2,000 each; in all,
5 \$70,500.

6

COMMITTEE STENOGRAPHERS

7 Salaries: Four stenographers to committees, at \$7,000

8 each and two stenographers to committees, at \$6,000 each;
9 clerk, \$3,360; in all, \$43,360: *Provided*, That any sums
10 received from the sale of copies of transcripts of hearings of
11 committees reported by such stenographers shall be covered
12 into the Treasury as "miscellaneous receipts".

13 Whenever the words "during the session" occur in the
14 foregoing paragraphs they shall be construed to mean the
15 one hundred and eighty-two days from January 1 to June
16 30, 1944, both inclusive.

17

CLERK HIRE, MEMBERS AND DELEGATES

18 For clerk hire necessarily employed by each Member
19 and Delegate, and the Resident Commissioner from Puerto
20 Rico, in the discharge of his official and representative
21 duties, in accordance with the Act entitled "An Act to fix
22 the compensation of officers and employees of the legislative
23 branch of the Government", approved June 20, 1929, as
24 amended by the Act of July 25, 1939, \$2,847,000.

1 CONTINGENT EXPENSES OF THE HOUSE

2 Furniture: For furniture and materials for repairs of the
3 same, including not to exceed \$29,000 for labor, tools, and
4 machinery for furniture repair shops, \$40,000.

5 Miscellaneous items: For miscellaneous items, exclu-
6 sive of salaries unless specifically ordered by the House of
7 Representatives, including the sum of \$27,500 for payment
8 to the Architect of the Capitol in accordance with section
9 208 of the Act approved October 9, 1940 (Public Act
10 812, Seventy-sixth Congress), the reimbursement to the
11 official stenographers to committees for the amounts actually
12 paid out by them for transcribing hearings, and materials
13 for folding, \$95,000.

14 Reporting hearings: For stenographic reports of hearings
15 of committees other than special and select committees,
16 \$30,000.

17 Special and select committees: For expenses of special
18 and select committees authorized by the House, \$400,000.

19 Joint Committee on Internal Revenue Taxation: For
20 payment of one-half of the salaries and other expenses of
21 the Joint Committee on Internal Revenue Taxation as
22 authorized by law, \$35,500.

23 Funeral expenses: No part of the appropriations con-
24 tained in this title for the contingent expenses of the House of
25 Representatives shall be used to defray the expenses of any

1 committee consisting of more than six persons (not more
2 than four from the House and not more than two from the
3 Senate), nor to defray the expenses of any other person
4 except the Sergeant at Arms of the House or a representa-
5 tive of his office, and except the widow or minor children
6 or both of the deceased, to attend the funeral rites and burial
7 of any person who at the time of his or her death is a
8 Representative, a Delegate from a Territory, or a Resident
9 Commissioner from Puerto Rico.

10 Telegraph and telephone: For telegraph and telephone
11 service, exclusive of personal services, \$175,000.

12 Stationery: For stationery for Representatives, Dele-
13 gates, and the Resident Commissioner from Puerto Rico,
14 for the second session of the Seventy-eighth Congress,
15 and for stationery for the use of the committees and officers
16 of the House (not to exceed \$5,000), \$92,600.

17 Attending physician's office: For medical supplies,
18 equipment, and contingent expenses of the emergency room
19 and for the attending physician and his assistants, including
20 an allowance of \$1,500 to be paid to the attending physician
21 in equal monthly installments as authorized by the Act
22 approved June 27, 1940 (54 Stat. 629), and including an
23 allowance of not to exceed \$30 per month each to four
24 assistants as provided by the House resolutions adopted

1 July 1, 1930, January 20, 1932, and November 18,
2 1940, \$6,985.

3 Postage stamps: Postmaster, \$200; Clerk, \$400; Ser-
4 geant at Arms, \$250; Doorkeeper, \$100; in all, \$950.

5 To enable the Clerk of the House to procure and furnish
6 each Representative, Delegate, and the Resident Commis-
7 sioner from Puerto Rico, United States air mail and special
8 delivery postage stamps as authorized by law, \$21,900.

9 Folding documents: For folding speeches and pamphlets,
10 at a rate not exceeding \$1 per thousand or for the employ-
11 ment of personnel at a rate not to exceed \$4 per day per
12 person, \$30,000, of which \$5,000 shall be available imme-
13 diately.

14 Revision of laws: For preparation and editing of the
15 laws as authorized by the Act approved May 29, 1928
16 (1 U. S. C. 59), \$8,000, to be expended under the
17 direction of the Committee on Revision of the Laws.

18 Clerk's office, special assistance: For assistants in com-
19 piling lists of reports to be made to Congress by public
20 officials; compiling copy and revising proofs for the House
21 portion of the Official Register; preparing and indexing the
22 statistical reports of the Clerk of the House; compiling the
23 telephone and Members' directories; preparing and index-
24 ing the daily calendars of business; preparing the official
25 statement of Members' voting records; preparing lists of

1 congressional nominees and statistical summary of elections;
2 preparing and indexing questions of order printed in the
3 Appendix to the Journal pursuant to House Rule III;
4 for recording and filing statements of political committees
5 and candidates for election to the House of Representatives
6 pursuant to the Federal Corrupt Practices Act, 1925 (2
7 U. S. C. 241-256); and for such other assistance as the
8 Clerk of the House may deem necessary and proper in
9 the conduct of the business of his office, \$4,500: *Provided*,
10 That no part of this appropriation shall be used to augment
11 the annual salary of any employee of the House of
12 Representatives.

13 Speaker's automobile: For exchange, driving, mainte-
14 nance, repair, and operation of an automobile for the Speaker,
15 \$4,000.

16 CAPITOL POLICE

17 Salaries: Captain, \$2,700; three lieutenants, at \$1,740
18 each; special officer, \$1,740; three sergeants, at \$1,680
19 each; fifty-two privates, at \$1,620 each; one-half of said
20 privates to be selected by the Sergeant at Arms of
21 the Senate and one-half by the Sergeant at Arms of the
22 House; in all, \$98,940: *Provided*, That no part of any
23 appropriation contained in this Act shall be paid as com-
24 pensation to any person appointed after June 30, 1935, as
25 and officer or member of the Capitol Police (including those

1 for the Senate and House Office Buildings) who does not
2 meet the standards to be prescribed for such appointees by
3 the Capitol Police Board: *Provided further*, That the
4 Capitol Police Board is hereby authorized to detail police
5 from the House and Senate Office Buildings for police duty
6 on the Capitol Grounds.

7 General expenses: For purchasing and supplying uni-
8 forms, purchase, exchange, maintenance, and repair of motor-
9 propelled passenger-carrying vehicles, contingent expenses,
10 including \$25 per month for extra services performed by a
11 member of such force for the Capitol Police Board,
12 \$9,400.

13 Capitol Police Board: To enable the Capitol Police
14 Board to provide additional protection during the present
15 emergency for the Capitol Buildings and Grounds, including
16 the Senate and House Office Buildings and the Capitol Power
17 Plant, \$55,000. Such sum shall only be expended for
18 payment for salaries and other expenses of personnel de-
19 tailed from the Federal Bureau of Investigation, the Secret
20 Service of the Treasury Department, and the Metropolitan
21 Police of the District of Columbia, and the heads of such
22 agencies and the Commissioners of the District of Columbia
23 are authorized and directed to make such details upon the
24 request of the Board. Personnel so detailed shall, during the
25 period of such detail, serve under the direction and instruc-
26 tions of the Board and is authorized to exercise the same

1 authority as members of such Metropolitan Police and mem-
2 bers of the Capitol Police and to perform such other duties
3 as may be assigned by the Board. Reimbursement for
4 salaries and other expenses of such detailed personnel shall be
5 made to the Federal agency or the government of the Dis-
6 trict of Columbia, respectively, and any sums so reimbursed
7 shall be credited to the appropriation or appropriations from
8 which such salaries and expenses are payable and be avail-
9 able for all the purposes thereof: *Provided*, That any person
10 detailed under the authority of this paragraph or under simi-
11 lar authority in the Legislative Branch Appropriation Act,
12 1942, and the Second Deficiency Appropriation Act, 1940,
13 from the Metropolitan Police of the District of Columbia
14 shall be deemed a member of such Metropolitan Police dur-
15 ing the period or periods of any such detail for all purposes
16 of rank, pay, allowances, privileges, and benefits to the same
17 extent as though such detail had not been made, and at the
18 termination thereof any such person who was a member of
19 such police on July 1, 1940, shall have a status with respect
20 to rank, pay, allowances, privileges, and benefits which is
21 not less than the status of such person in such police at the
22 end of such detail.

23 One-half of the foregoing amounts under "Capitol Police"
24 shall be disbursed by the Secretary of the Senate and one-
25 half by the Clerk of the House.

1 JOINT COMMITTEE ON PRINTING

2 Salaries: Clerk, \$4,000 and \$800 additional so long as
3 the position is held by the present incumbent; inspector un-
4 der section 20 of the Act approved January 12, 1895 (44
5 U. S. C. 49), \$2,820; assistant clerk and stenographer,
6 \$2,640; for expenses of compiling, preparing, and indexing
7 the Congressional Directory, \$1,600; in all, \$11,860, one-
8 half to be disbursed by the Secretary of the Senate and the
9 other half to be disbursed by the Clerk of the House.

10 OFFICE OF LEGISLATIVE COUNSEL

11 Salaries and expenses: For salaries and expenses of
12 maintenance of the Office of Legislative Counsel, as author-
13 ized by law, \$83,000, of which \$42,000 shall be disbursed
14 by the Secretary of the Senate and \$41,000 by the Clerk of
15 the House of Representatives.

16 STATEMENT OF APPROPRIATIONS

17 For preparation, under the direction of the Committees
18 on Appropriations of the Senate and House of Representa-
19 tives of the statements for the first session of the Seventy-
20 eighth Congress, showing appropriations made, indefinite
21 appropriations, and contracts authorized, together with a
22 chronological history of the regular appropriation bills, as
23 required by law, \$4,000, to be paid to the persons desig-
24 nated by the chairmen of such committees to do the work.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; \$64,100.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$750.

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; waterproof wearing apparel; personal and other services; cleaning and repairing works of art; maintenance and driving of motor-propelled passenger-carrying office vehicle; not exceeding \$300 for the purchase of technical and necessary reference books, peri-

1 odicals, and city directory; not to exceed \$150 for expenses
2 of attendance, when specifically authorized by the Architect
3 of the Capitol, at meetings or conventions in connection
4 with subjects related to work under the Architect of the
5 Capitol; and the compensation of the position of supervising
6 engineer shall be at the rate of \$6,000 per annum so long
7 as the position is held by the person who was the incumbent
8 thereof on May 15, 1941; \$289,200.

9 Capitol Grounds: For care and improvement of grounds
10 surrounding the Capitol, Senate and House Office Buildings;
11 Capitol Power Plant; personal and other services; care of
12 trees; planting; fertilizers; repairs to pavements, walks, and
13 roadways; purchase of waterproof wearing apparel; main-
14 tenance of signal lights; and for snow removal by hire of
15 men and equipment or under contract without compliance
16 with section 3709 (41 U. S. C. 5) of the Revised Statutes,
17 \$103,200.

18 Legislative garage: For maintenance, repairs, altera-
19 tions, personal and other services, and all necessary inci-
20 dental expenses, \$12,720.

21 Subway transportation, Capitol and Senate Office Build-
22 ings: For repairs, rebuilding, and maintenance of the subway
23 system connecting the Senate Office Building with the Sen-
24 ate wing of the United States Capitol and for personal and

1 other services, including maintenance of the cars, track, and
2 electrical equipment connected therewith, \$1,500.

3 Senate Office Building: For maintenance, miscellaneous
4 items and supplies, including furniture, furnishings, and
5 equipment, and for labor and material incident thereto, and
6 repairs thereof; and for personal and other services, includ-
7 ing four female attendants in charge of ladies' retiring rooms
8 at \$1,500 each, for the care and operation of the Senate Office
9 Building; to be expended under the control and supervision
10 of the Architect of the Capitol; in all, \$313,560.

11 House Office Buildings: For maintenance, including
12 equipment, waterproof wearing apparel, miscellaneous items,
13 and for all necessary services, \$390,200.

14 Capitol Power Plant: For lighting, heating, and power
15 for the Capitol, Senate and House Office Buildings, Supreme
16 Court Building, Congressional Library Buildings, and the
17 grounds about the same, Botanic Garden, legislative garage,
18 and folding and storage rooms of the Senate, and for air-
19 conditioning refrigeration not supplied from plants in any
20 of such buildings; for heating the Government Printing
21 Office and Washington City Post Office and for light and
22 power therefor whenever available; personal and other serv-
23 ices, engineering instruments, fuel, oil, materials, labor,
24 advertising, and purchase of waterproof wearing apparel

1 in connection with the maintenance and operation of the
2 plant, \$765,600.

3 The appropriations under the control of the Architect of
4 the Capitol may be expended without reference to section 4
5 of the Act approved June 17, 1910 (41 U. S. C. 7), con-
6 cerning purchases for executive departments.

7 The Government Printing Office and the Washington
8 City Post Office shall reimburse the Capitol Power Plant for
9 heat, light, and power whenever any such service is furnished
10 during the fiscal year 1944, and the amounts so reimbursed
11 shall be covered into the Treasury.

12 LIBRARY BUILDINGS AND GROUNDS

13 MECHANICAL AND STRUCTURAL MAINTENANCE

14 Salaries: For chief engineer and all personal services
15 at rates of pay provided by law, \$98,300.

16 Salaries, Sunday opening: For extra services of
17 employees and additional employees under the Architect of
18 the Capitol to provide for the opening of the Library
19 Buildings on Sundays and on holidays, at rates to be fixed
20 by such Architect, \$7,300.

21 General repairs, and so forth: For necessary expendi-
22 tures for the Library Buildings and Grounds under the juris-
23 diction of the Architect of the Capitol, including minor im-
24 provements, maintenance, repair, equipment, supplies, water-
25 proof_wearing apparel, material, and appurtenances, and

1 personal and other services in connection with the mechanical
2 and structural maintenance of such buildings and grounds,
3 \$25,000.

4 BOTANIC GARDEN

5 Salaries: For personal services (including not exceeding
6 \$3,000 for miscellaneous temporary labor without regard
7 to the Classification Act of 1923, as amended), \$82,000; all
8 under the direction of the Joint Committee on the Library.

9 Maintenance, operation, repairs, and improvements:
10 For all necessary expenses incident to maintaining, operat-
11 ing, repairing, and improving the Botanic Garden, and the
12 nurseries, buildings, grounds, and equipment pertaining
13 thereto, including procuring fertilizers, soils, tools, trees,
14 shrubs, plants, and seeds; materials and miscellaneous sup-
15 plies, including rubber boots and aprons when required for
16 use by employees in connection with their work; not to
17 exceed \$25 for emergency medical supplies; disposition of
18 waste; traveling expenses of the Director and his assistants
19 not to exceed \$250; street-car fares not exceeding \$25;
20 office equipment and contingent expenses; the prevention
21 and eradication of insect and other pests and plant diseases
22 by purchase of materials and procurement of personal serv-
23 ices by contract without regard to the provisions of any
24 other Act; repair, maintenance, operation, purchase, and
25 exchange of motortrucks, and maintenance, repair, and

1 operation of a passenger motor vehicle; purchase of botan-
 2 ical books, periodicals, and books of reference, not to exceed
 3 \$100; repairs and improvements to Director's residence;
 4 and all other necessary expenses; all under the direction of
 5 the Joint Committee on the Library, \$21,000.

6 No part of the appropriations contained in this title for
 7 the Botanic Garden shall be used for the distribution, by con-
 8 gressional allotment, of trees, plants, shrubs, or other nursery
 9 stock.

10 LIBRARY OF CONGRESS

11 Salaries, Library, Proper: For the Librarian, the
 12 Librarian Emeritus, Chief Assistant Librarian, and other
 13 personal services, including special and temporary services
 14 and extra special services of regular employees (not exceed-
 15 ing \$5,000) at rates to be fixed by the Librarian, \$1,459,900.

16 COPYRIGHT OFFICE

17 Salaries: For the Register of Copyrights, assistant
 18 register, and other personal services, \$294,100.

19 LEGISLATIVE REFERENCE SERVICE

20 Salaries: To enable the Librarian of Congress to employ
 21 competent persons to gather, classify, and make available,
 22 in translations, indexes, digests, compilations, and bulletins,
 23 and otherwise, data for or bearing upon legislation, and to
 24 render such data serviceable to Congress, and committees and
 25 Members thereof, and for printing and binding the digests

1 of public general bills, and including not to exceed \$5,700 for
 2 employees engaged on piece work and work by the day or
 3 hour at rates to be fixed by the Librarian, \$148,300: *Pro-*
 4 *vided*, That not more than \$20,000 of this sum shall be used
 5 for preparation and reproduction of copies of the Digest of
 6 General Public Bills.

7 DISTRIBUTION OF CARD INDEXES

8 Salaries and expenses: For the distribution of card
 9 indexes and other publications of the Library, including per-
 10 sonal services, freight charges (not exceeding \$500), ex-
 11 pressage, postage, traveling expenses connected with such
 12 distribution, expenses of attendance at meetings when in-
 13 curred on the written authority and direction of the Librarian,
 14 and including not to exceed \$30,000 for employees engaged
 15 in piece work and work by the day or hour and for extra
 16 special services of regular employees at rates to be fixed by
 17 the Librarian; in all, \$234,100.

18 INDEX TO STATE LEGISLATION

19 Salaries and expenses: To enable the Librarian of Con-
 20 gress to prepare an index to the legislation of the several
 21 States, together with a supplemental digest of the more im-
 22 portant legislation, as authorized and directed by the Act
 23 entitled "An Act providing for the preparation of a biennial
 24 index to State legislation", approved February 10, 1927
 25 (2 U. S. C. 164, 165), including personal and other services

1 within and without the District of Columbia, including not
 2 to exceed \$2,500 for special and temporary services at rates
 3 to be fixed by the Librarian, travel, necessary material and
 4 apparatus, and for printing and binding the indexes and
 5 digests of State legislation for official distribution only, and
 6 other printing and binding incident to the work of compila-
 7 tion, stationery, and incidentals, \$37,760.

8

SUNDAY OPENING

9 Salaries: To enable the Library of Congress to be kept
 10 open for reference use on Sundays and on holidays within
 11 the discretion of the Librarian, including the extra services
 12 of employees and the services of additional employees under
 13 the Librarian, at rates to be fixed by the Librarian, \$15,000.

14

UNION CATALOGUES

15 Salaries and expenses: To continue the development and
 16 maintenance of the Union Catalogues including personal
 17 services within and without the District of Columbia (and
 18 not to exceed \$700 for special and temporary services, in-
 19 cluding extra special services of regular employees, at rates
 20 to be fixed by the Librarian), travel, necessary material and
 21 apparatus, stationery, photostat supplies, and incidentals,
 22 \$51,700.

23

INCREASE OF THE LIBRARY OF CONGRESS

24

25 General increase of Library: For purchase of books,
 miscellaneous periodicals and newspapers, photo-copying

1 supplies and photo-copying labor, and all other material
2 for the increase of the Library, including payment in advance
3 for subscription books and society publications, and for
4 freight, commissions, and traveling expenses not to exceed
5 \$20,000, including expenses of attendance at meetings when
6 incurred on the written authority and direction of the
7 Librarian in the interest of collections, and all other expenses
8 incidental to the acquisition of books, miscellaneous periodi-
9 cals and newspapers, and all other material for the increase
10 of the Library, by purchase, gift, bequest, or exchange,
11 \$198,000, to continue available during the fiscal year 1945.

12 Increase of the law library: For the purchase of books
13 and for legal periodicals for the law library, including pay-
14 ment for legal society publications and for freight, commis-
15 sions, traveling expenses not to exceed \$2,500, including
16 expenses of attendance at meetings when incurred on the
17 written authority and direction of the Librarian in the inter-
18 est of collections, and all other expenses incidental to the
19 acquisition of lawbooks, and all other material for the increase
20 of the law library, \$95,000, to continue available during
21 the fiscal year 1945.

22 Books for the Supreme Court: For the purchase of
23 books and periodicals for the Supreme Court, to be a part
24 of the Library of Congress, and purchased by the Marshal

1 of the Supreme Court, under the direction of the Chief
2 Justice, \$20,000.

3 BOOKS FOR ADULT BLIND

4 To enable the Librarian of Congress to carry out the
5 provisions of the Act entitled "An Act to provide books for
6 the adult blind", approved March 3, 1931 (2 U. S. C.
7 135a), as amended, \$370,000, including not exceeding
8 \$20,000 for personal services and not exceeding \$500 for
9 necessary traveling expenses connected with such service
10 and for expenses of attendance at meetings when incurred
11 on the written authority and direction of the Librarian.

12 PRINTING AND BINDING

13 General printing and binding: For miscellaneous print-
14 ing and binding for the Library of Congress, including the
15 Copyright Office, and the binding, rebinding, and repairing
16 of library books, and for the Library Buildings, \$270,000.

17 Printing the Catalogue of Title Entries of the Copyright
18 Office: For the publication of the Catalogue of Title Entries
19 of the Copyright Office and the decisions of the United States
20 courts involving copyright, \$30,000.

21 Printing catalog cards: For the printing of catalog cards
22 and of miscellaneous publications relating to the distribution
23 of card indexes, \$260,000.

24 CONTINGENT EXPENSES OF THE LIBRARY

25 For miscellaneous and contingent expenses, stationery,

1 office supplies, stock and materials directly purchased,
2 miscellaneous traveling expenses, postage, transportation,
3 incidental expenses connected with the administration of the
4 Library and Copyright Office, including not exceeding \$500
5 for expenses of attendance at meetings when incurred on
6 the written authority and direction of the Librarian,
7 \$20,800.

8 For furniture, including the purchase of office and library
9 equipment, apparatus, and labor-saving devices, \$16,000,
10 to be expended under the direction of the Librarian of Con-
11 gress.

12 For personal services, paper, chemicals, and miscel-
13 laneous supplies necessary for the operation of the photo-
14 duplicating machines of the Library and the making of
15 photoduplicate prints, \$26,700.

16 Security of collections: The unexpended balances of sums
17 appropriated under this head in the First Deficiency Appro-
18 priation Act, 1942, to enable the Librarian to effect pre-
19 cautionary measures for the security of the collections of the
20 Library of Congress, including the objects specified there-
21 under, are hereby reappropriated and made available for the
22 fiscal year 1944.

23 LIBRARY BUILDINGS

24 Salaries: For the superintendent and other personal serv-
25 ices, in accordance with the Classification Act of 1923, as

1 amended, including special and temporary services and spe-
 2 cial services of regular employees in connection with the
 3 custody, care, and maintenance of the Library Buildings in
 4 the discretion of the Librarian (not exceeding \$750) at rates
 5 to be fixed by the Librarian, \$314,300.

6 For extra services of employees and additional em-
 7 ployees under the Librarian to provide for the opening of
 8 the Library Buildings on Sundays and on holidays, at
 9 rates to be fixed by the Librarian, \$8,000, of which \$700
 10 shall be available immediately.

11 For mail, delivery, including maintenance, operation,
 12 and repair of a motor-propelled passenger-carrying vehicle,
 13 telephone services, rubber boots, rubber coats, and other
 14 special clothing for employees, uniforms for guards and
 15 elevator conductors, medical supplies, equipment, and con-
 16 tingent expenses for the emergency room, stationery, mis-
 17 cellaneous supplies, and all other incidental expenses in
 18 connection with the custody and maintenance of the Library
 19 Buildings, \$16,600: *Provided*, That any appropriations
 20 under the control of the Librarian of Congress may be ex-
 21 pended without reference to section 3709 of the Revised
 22 Statutes (41 U. S. C. 5) in any case when the total amount
 23 of the purchase involved does not exceed the sum of \$100.

24 LIBRARY OF CONGRESS TRUST FUND BOARD

25 For any expense of the Library of Congress Trust Fund

1 Board not properly chargeable to the income of any trust
2 fund held by the Board, \$100.

3 Not to exceed ten positions in the Library of Congress
4 may be exempt from the provisions of section 205 of the
5 Independent Offices Appropriation Act, 1944, but the Librar-
6 ian shall not make any appointment to any such position
7 until he has ascertained that he cannot secure for such ap-
8 pointment a person in any of the three categories specified
9 in such section 205 who possesses the special qualifications
10 for the particular position and also otherwise meets the gen-
11 eral requirements for employment in the Library of Congress.

12 GOVERNMENT PRINTING OFFICE

13 WORKING CAPITAL AND CONGRESSIONAL PRINTING AND

14 BINDING

15 To provide the Public Printer with a working capital for
16 the following purposes for the execution of printing, binding,
17 lithographing, mapping, engraving, and other authorized
18 work of the Government Printing Office for the various
19 branches of the Government: For salaries of Public Printer
20 and Deputy Public Printer; for salaries, compensation, or
21 wages of all necessary officers and employees additional to
22 those herein appropriated for, including employees necessary
23 to handle waste paper and condemned material for sale; to
24 enable the Public Printer to comply with the provisions of
25 law granting holidays and half holidays and Executive orders

1 granting holidays and half holidays with pay to employees;
2 to enable the Public Printer to comply with the provisions
3 of law granting leave to employees with pay, such pay to be
4 at the rate for their regular positions at the time the leave is
5 granted; rental of buildings and equipment; fuel, gas, heat,
6 electric current, gas and electric fixtures; bicycles, motor-
7 propelled vehicles for the carriage of printing and printing
8 supplies, and the maintenance, repair, and operation of the
9 same, to be used only for official purposes, including opera-
10 tion, repair, and maintenance of motor-propelled passenger-
11 carrying vehicles, for official use of the officers of the Govern-
12 ment Printing Office when in writing ordered by the Public
13 Printer; freight, expressage, telegraph and telephone service,
14 furniture, typewriters, and carpets; traveling expenses, in-
15 cluding not to exceed \$3,000 for attendance at meetings or
16 conventions when authorized by the Joint Committee on
17 Printing; stationery, postage and advertising; directories,
18 technical books, newspapers and magazines, and books of
19 reference (not exceeding \$500); adding and numbering
20 machines, time stamps, and other machines of similar char-
21 acter; rubber boots, coats, and gloves; machinery (not ex-
22 ceeding \$300,000); equipment, and for repairs to machinery,
23 implements, and buildings, and for minor alterations to build-
24 ings; necessary equipment, maintenance, and supplies for the
25 emergency room for the use of all employees in the Govern-

1 ment Printing Office who may be taken suddenly ill or
2 receive injury while on duty; other necessary contingent and
3 miscellaneous items authorized by the Public Printer; for
4 expenses authorized in writing by the Joint Committee on
5 Printing for the inspection of printing and binding equipment,
6 material, and supplies and Government printing plants in the
7 District of Columbia or elsewhere (not exceeding \$1,000) ;
8 for salaries and expenses of preparing the semimonthly and
9 session indexes of the Congressional Record under the direc-
10 tion of the Joint Committee on Printing (chief indexer at
11 \$3,480, one cataloger at \$3,180, two catalogers at \$2,460
12 each, and one cataloger at \$2,100) ; and for all the necessary
13 labor, paper, materials, and equipment needed in the prosecu-
14 tion and delivery and mailing of the work; in all, \$7,225,000;
15 to which sum shall be charged the printing and binding au-
16 thorized to be done for Congress including supplemental and
17 deficiency estimates of appropriations; the printing, binding,
18 and distribution of the Federal Register in accordance with
19 the Act approved July 26, 1935 (44 U. S. C. 301-317)
20 (not exceeding \$400,000) ; for the printing and binding of
21 a cumulative supplement to the Code of Federal Regula-
22 tions as authorized by the Act approved December 10,
23 1942 (Public Law 796, Seventy-seventh Congress, not
24 exceeding \$165,000; the printing and binding for use of
25 the Government Printing Office; the printing and binding

1 (not exceeding \$3,000) for official use of the Architect
2 of the Capitol upon requisition of the Secretary of the
3 Senate; in all to an amount not exceeding \$4,225,000: *Pro-*
4 *vided*, That not less than \$3,000,000 of such working capital
5 shall be returned to the Treasury as an unexpended balance
6 not later than six months after the close of the fiscal year
7 1944: *Provided further*, That notwithstanding the provisions
8 of section 73 of the Act of January 12, 1895 (44 U. S. C.
9 241), no part of the foregoing sum of \$4,225,000 shall be
10 used for printing and binding part 2 of the annual report of
11 the Secretary of Agriculture (known as the Yearbook of
12 Agriculture).

13 Printing and binding for Congress chargeable to the
14 foregoing appropriation, when recommended to be done by
15 the Committee on Printing of either House, shall be so recom-
16 mended in a report containing an approximate estimate of
17 the cost thereof, together with a statement from the Public
18 Printer of estimated approximate cost of work previously
19 ordered by Congress within the fiscal year for which this
20 appropriation is made.

21 During the fiscal year 1944 any executive depart-
22 ment or independent establishment of the Government
23 ordering printing and binding from the Government Printing
24 Office shall pay promptly by check to the Public Printer upon
25 his written request, either in advance or upon completion of

1 the work, all or part of the estimated or actual cost thereof,
2 as the case may be, and bills rendered by the Public Printer
3 in accordance herewith shall not be subject to audit or cer-
4 tification in advance of payment: *Provided*, That proper ad-
5 justments on the basis of the actual cost of delivered work
6 paid for in advance shall be made monthly or quarterly and
7 as may be agreed upon by the Public Printer and the depart-
8 ment or establishment concerned. All sums paid to the
9 Public Printer for work that he is authorized by law to do
10 shall be deposited to the credit, on the books of the Treasury
11 Department, of the appropriation made for the working cap-
12 ital of the Government Printing Office for the year in which
13 the work is done, and be subject to requisition by the Public
14 Printer.

15 No part of any money appropriated in this Act shall be
16 paid to any person employed in the Government Printing
17 Office while detailed for or performing service in the execu-
18 tive branch of the public service of the United States unless
19 such detail be authorized by law.

20 OFFICE OF SUPERINTENDENT OF DOCUMENTS

21 Salaries: For the Superintendent of Documents, assistant
22 superintendent, and other personal services in accordance
23 with the Classification Act of 1923, as amended, and com-
24 pensation of employees paid by the hour who shall be subject
25 to the provisions of the Act entitled "An Act to regulate

1 and fix rates of pay for employees and officers of the Govern-
2 ment Printing Office", approved June 7, 1924 (44 U. S. C.
3 40), \$852,500.

4 General expenses: For furniture and fixtures, type-
5 writers, carpets, labor-saving machines and accessories, time
6 stamps, adding and numbering machines, awnings, cur-
7 tains, books of reference; directories, books, miscellaneous
8 office and desk supplies, paper, twine, glue, envelopes,
9 postage, carfares, soap, towels, disinfectants, and ice; dray-
10 age, express, freight, telephone, and telegraph service;
11 traveling expenses (not to exceed \$200); repairs to build-
12 ings, elevators, and machinery; rental of equipment; pre-
13 serving sanitary condition of building; light, heat, and
14 power; stationery and office printing, including blanks,
15 price lists, bibliographies, catalogs, and indexes; for sup-
16 plying books to depository libraries; in all, \$345,000: *Pro-*
17 *vided*, That no part of this sum shall be used to supply to
18 depository libraries any documents, books, or other printed
19 matter not requested by such libraries, and the requests
20 therefor shall be subject to approval by the Superintendent
21 of Documents: *Provided further*, That the Superintendent of
22 Documents shall furnish, from the quota that was printed for
23 sale, one complete set of Definitive Writings of George Wash-
24 ington to each Senator, Representative, Delegate, and

1 Resident Commissioner, serving during the Seventy-eighth
2 Congress, who makes written application therefor.

3 Purchases may be made from the foregoing appropriation
4 under the "Government Printing Office", as provided for in
5 the Printing Act approved January 12, 1895, and without
6 reference to section 4 of the Act approved June 17, 1910
7 (41 U. S. C. 7), concerning purchases for executive depart-
8 ments.

9 SEC. 102. In order to keep the expenditures for
10 printing and binding for the fiscal year 1944 within
11 or under the appropriations for such fiscal year, the heads
12 of the various executive departments and independent estab-
13 lishments are authorized to discontinue the printing of annual
14 or special reports under their respective jurisdictions: *Pro-*
15 *vided*, That where the printing of such reports is discontinued
16 the original copy thereof shall be kept on file in the offices of
17 the heads of the respective departments or independent estab-
18 lishments for public inspection.

19 SEC. 103. No part of the funds appropriated in this
20 title shall be used for the maintenance or care of private
21 vehicles.

22 SEC. 104. Whenever any office or position not spe-
23 cifically established by the Legislative Pay Act of 1929 is
24 specifically appropriated for in this title or whenever the

1 rate of compensation or designation of any position specifi-
2 cally appropriated for in this title is different from that
3 specifically established for such position by such Act, the
4 rate of compensation and the designation of the position, or
5 either, specifically appropriated for in this title, shall be the
6 permanent law with respect thereto; and the authority for
7 any position specifically established by such Act which is
8 not specifically appropriated for in this title shall cease to
9 exist.

10 SEC. 105. This title may be cited as the "Legislative
11 Branch Appropriation Act, 1944".

12 TITLE II—THE JUDICIARY

13 UNITED STATES SUPREME COURT

14 Salaries: For the Chief Justice and eight Associate Jus-
15 tices; Reporter of the Court; and all other officers and em-
16 ployees, whose compensation shall be fixed by the Court,
17 except as otherwise provided by law, and who may be
18 employed and assigned by the Chief Justice to any office or
19 work of the Court, \$484,200.

20 Preparation of rules for criminal proceedings: For all
21 expenses of the Supreme Court of the United States to pro-
22 vide for expenses of such advisory committee as may be
23 appointed by the Court to assist it in the preparation of
24 rules of pleading, practice, and procedure with respect to
25 criminal cases, pursuant to the Act entitled "An Act to give

1 the Supreme Court of the United States authority to pre-
2 scribe rules of pleading, practice, and procedure with respect
3 to proceedings in criminal cases prior to and including
4 verdict, or finding or plea of guilty", approved June 29,
5 1940 (54 Stat. 688), including personal services in the
6 District of Columbia and elsewhere and printing and binding,
7 to be expended as the Chief Justice in his discretion may
8 direct, including such per diem allowances in lieu of actual
9 expenses for subsistence at rates to be fixed by him not to
10 exceed \$10 per day, \$30,000, of which amount not to
11 exceed \$14,950 shall be immediately available.

12 The unexpended balance of the appropriation "Prepara-
13 tion of Rules for Civil Procedure, fiscal years 1942 and
14 1943", carried in the Sixth Supplemental National Defense
15 Appropriation Act, 1942, is hereby reappropriated and made
16 available for the fiscal year 1944.

17 Printing and binding: For printing and binding for the
18 Supreme Court of the United States, \$26,000, to be expended
19 as required without allotment by quarters, and to be executed
20 by such printer as the Court may designate.

21 Miscellaneous expenses: For miscellaneous expenses of
22 the Supreme Court of the United States, to be expended as
23 the Chief Justice may approve, \$27,000.

24 Structural and mechanical care of the building and
25 grounds: For such expenditures as may be necessary to

1 enable the Architect of the Capitol to carry out the duties
2 imposed upon him by the Act approved May 7, 1934 (40
3 U. S. C. 13a-13d), including improvements, maintenance.
4 repairs, equipment, supplies, materials, and appurtenances,
5 special clothing for workmen; purchase of waterproof wear-
6 ing apparel; and personal and other services, including tempo-
7 rary labor without reference to the Classification and Retire-
8 ment Acts, as amended, and for snow removal by hire of
9 men and equipment or under contract without compliance
10 with sections 3709 and 3744 of the Revised Statutes (41
11 U. S. C. 5, 16), \$68,000.

12 UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

13 Sixty per centum of the expenditures for the District
14 Court of the United States for the District of Columbia from
15 all appropriations under this title and 30 per centum of the
16 expenditures for the United States Court of Appeals for the
17 District of Columbia from all appropriations under this title
18 shall be reimbursed to the United States from any funds in
19 the Treasury to the credit of the District of Columbia.

20 Repairs and improvements, District Court of the United
21 States for the District of Columbia: For repairs and im-
22 provements to the courthouse, including repair and main-
23 tenance of the mechanical equipment, and for labor and
24 material and every item incident thereto, \$11,300, to be
25 expended under the direction of the Architect of the Capitol.

1 Repairs and improvements, United States Court of
2 Appeals for the District of Columbia: For repairs and im-
3 provements to the United States Court of Appeals Building,
4 including repair and maintenance of the mechanical equip-
5 ment, and for labor and material and every item incident
6 thereto, \$2,500, to be expended under the direction of the
7 Architect of the Capitol.

8 COURT OF CUSTOMS AND PATENT APPEALS

9 Salaries: Presiding judge and four associate judges and
10 all other officers and employees of the court, \$107,060.

11 Contingent expenses: For books and periodicals, includ-
12 ing their exchange; stationery, supplies, traveling expenses;
13 drugs, chemicals, cleansers, furniture; and for such other
14 miscellaneous expenses as may be approved by the presiding
15 judge, \$3,000.

16 Printing and binding: For printing and binding,
17 \$6,700.

18 UNITED STATES CUSTOMS COURT

19 Salaries: Presiding judge and eight judges; and all
20 other officers and employees of the court, \$236,500.

21 Contingent expenses: For books and periodicals, includ-
22 ing their exchange; stationery, supplies, traveling expenses;
23 and for such other miscellaneous expenses as may be ap-
24 proved by the presiding judge, \$13,500.

1 Printing and binding: For printing and binding,
2 \$1,000.

3 COURT OF CLAIMS

4 Salaries: Chief justice and four judges, seven regular
5 commissioners, and all other officers and employees of the
6 court, \$208,000, including the compensation of stenogra-
7 phers authorized by the court, and for stenographic and other
8 fees and charges necessary in the taking of testimony and
9 in the performance of the duties as authorized by the Act
10 entitled "An Act amending section 2 and repealing section
11 3 of the Act approved February 24, 1925 (28 U. S. C. 269,
12 270), entitled 'An Act to authorize the appointment of com-
13 missioners by the Court of Claims and to prescribe their
14 powers and compensation', and for other purposes", approved
15 June 23, 1930.

16 Contingent expenses: For stationery, court library,
17 repairs, fuel, electric light, traveling expenses, and other
18 miscellaneous expenses, \$18,000.

19 Printing and binding: For printing and binding,
20 \$26,500.

21 Repairs and improvements: For necessary repairs and
22 improvements to the Court of Claims buildings, to be ex-
23 pended under the supervision of the Architect of the Capitol,
24 \$2,550.

TERRITORIAL COURTS

1

2 Hawaii: For salaries of the chief justice and two asso-
3 ciate justices of the Supreme Court of the Territory of
4 Hawaii, of judges of the circuit courts in Hawaii, and of
5 judges retired under the Act of May 31, 1938, \$103,500.

6

MISCELLANEOUS ITEMS OF EXPENSE

7 Salaries of judges: For salaries of circuit judges; district
8 judges (including two in the Territory of Hawaii, one in the
9 Territory of Puerto Rico, four in the Territory of Alaska,
10 one in the Virgin Islands, and one in the Panama Canal
11 Zone) ; and judges retired under section 260 of the Judicial
12 Code, as amended, and section 518 of the Tariff Act of 1930;
13 in all, \$3,222,500: *Provided*, That this appropriation shall
14 be available for the salaries of all United States justices and
15 circuit and district judges lawfully entitled thereto whether
16 active or retired.

17 Salaries of clerks of courts: For salaries of clerks of
18 United States circuit courts of appeals and United States
19 district courts, their deputies, and other assistants,
20 \$2,542,900.

21 No part of any appropriation in this Act shall be used
22 to pay the cost of maintaining an office of the clerk of the
23 United States District Court at Anniston, Alabama; Florence,
24 Alabama; Jasper, Alabama; Gadsden, Alabama; Grand

1 Junction, Colorado; Montrose, Colorado; Durango, Colorado;
2 Sterling, Colorado; Newnan, Georgia; Benton, Illinois;
3 Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico;
4 Bryson City, North Carolina; Shelby, North Carolina; Ard-
5 more, Oklahoma; Guthrie, Oklahoma; Aberdeen, South
6 Dakota; Pierre, South Dakota; Deadwood, South Dakota;
7 Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or
8 Lander, Wyoming; but this paragraph shall not be so con-
9 strued as to prevent the detail during sessions of court of such
10 employees as may be necessary from other offices to the
11 offices named herein.

12 Probation system, United States courts: For salaries
13 of probation officers and their clerical assistants, as authorized
14 by the Act entitled "An Act to amend the Act of March 4,
15 1925, chapter 521, and for other purposes", approved June
16 6, 1930 (18 U. S. C. 726), \$956,800: *Provided*, That the
17 salary of no probation officer shall be less than \$1,800 per
18 annum nor more than \$3,600 per annum: *Provided further*,
19 That nothing herein contained shall be construed to abridge
20 the right of the district judges to appoint probation officers, or
21 to make such orders as may be necessary to govern proba-
22 tion officers in their own courts: *Provided further*, That no
23 part of this appropriation shall be used to pay the salary or
24 expenses of any probation officer who, in the judgment of
25 the senior or presiding judge certified to the Attorney Gen-

1 eral, fails to carry out the official orders of the Attorney
2 General with respect to supervising or furnishing informa-
3 tion concerning any prisoner released conditionally or on
4 parole from any Federal penal or correctional institution.

5 Fees of commissioners: For fees of the United States
6 commissioners and other committing magistrates acting un-
7 der section 1014, Revised Statutes (18 U. S. C. 591), in-
8 cluding fees and expenses of conciliation commissioners,
9 United States courts, including the objects and subject to the
10 conditions specified for such fees and expenses of conciliation
11 commissioners in the Department of Justice Appropriation
12 Act, 1937, \$350,000.

13 Fees of jurors: For mileage and per diems of jurors;
14 meals and lodging for jurors in United States cases when
15 ordered by the court, and meals and lodging for jurors in
16 Alaska, as provided by section 193, title II, of the Act of
17 June 6, 1900 (31 Stat. 362), and compensation for jury
18 commissioners, \$5 per day, not exceeding three days for any
19 one term of court, \$1,680,000: *Provided*, That the compen-
20 sation of jury commissioners for the District of Columbia shall
21 conform to the provisions of title 18, chapter 10, section 341,
22 of the Code of the District of Columbia, but such compensation
23 shall not exceed \$250 each per annum.

24 Miscellaneous salaries: For salaries of all officials and
25 employees of the Federal judiciary, not otherwise specifically

1 provided for, \$987,100: *Provided*, That the compensation
2 of secretaries and law clerks of district judges shall be fixed
3 by the Director of the Administrative Office of the United
4 States Courts without regard to the Classification Act of
5 1923, as amended, except that the salaries of secretaries,
6 exclusive of the differential allowed for higher living costs in
7 the Panama Canal Zone, shall not exceed that of the senior
8 clerical grade and the salaries of law clerks shall not exceed
9 that of the principal subprofessional grade: *Provided further*,
10 That none of this fund shall be used for the pay of a law
11 clerk appointed by a district judge unless the senior circuit
12 judge of the circuit (the District of Columbia being considered
13 a circuit) in which the district where the clerk is needed is
14 situated shall certify to the necessity of the appointment.

15 Miscellaneous expenses (other than salaries) : For such
16 miscellaneous expenses as may be authorized or approved by
17 the Director of the Administrative Office of the United States
18 Courts, for the United States courts and their officers, includ-
19 ing rent of rooms for United States courts and judicial officers ;
20 supplies and equipment, including the exchange of type-
21 writing and adding machines, for the United States courts
22 and judicial officers, including firearms and ammunition
23 therefor; stenographic reporting services without regard to
24 section 3709, Revised Statutes, provided that the rates of
25 payment shall not exceed those fixed by the district court

1 pursuant to Rule 80 (b) Federal Rules of Civil Procedure,
2 in the jurisdiction of which the services are rendered; pur-
3 chase of lawbooks, including the exchange thereof, for United
4 States judges, and other judicial officers, including the libra-
5 ries of the United States circuit courts of appeals, and the
6 Federal Reporter and continuations thereto as issued,
7 \$390,000: *Provided*, That such books shall in all cases be
8 transmitted to their successors in office; all books purchased
9 hereunder to be marked plainly, "The Property of the
10 United States": *Provided further*, That not to exceed \$2
11 per volume shall be paid for the current and future volumes
12 of the United States Code, Annotated, and that the reports
13 of the United States Court of Appeals for the District of
14 Columbia shall not be sold for a price exceeding that approved
15 by the court and for not more than \$6.50 per volume.

16 Traveling expenses: For all necessary traveling expenses,
17 not otherwise provided for, incurred by the Judiciary, includ-
18 ing traveling expenses of probation officers and their clerks,
19 and transfer of household goods and effects as provided by
20 the Act of October 10, 1940, \$540,000: *Provided*, That
21 this sum shall be available, in an amount not to exceed
22 \$4,000, for expenses of attendance at meetings concerned
23 with the work of Federal probation when incurred on the
24 written authorization of the Director of the Administrative
25 Office of the United States Courts: *Provided further*, That

1 United States probation officers may be allowed, in lieu of
2 actual expenses of transportation, not to exceed 4 cents per
3 mile for the use of their own automobiles for transportation
4 when traveling on official business within the city limits of
5 their official station.

6 Printing and binding: For printing and binding for the
7 Administrative Office and Courts of the United States,
8 \$89,000.

9 ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

10 Salaries: For the Director of the Administrative Office
11 of the United States Courts, the Assistant Director, and for
12 other personal services in the District of Columbia and else-
13 where, as may be necessary to enable the Director to carry
14 into effect the provisions of the Act entitled "An Act to
15 provide for the administration of the United States courts,
16 and for other purposes", approved August 7, 1939 (53
17 Stat. 1223), \$243,800: *Provided*, That in expending ap-
18 propriations or portions of appropriations contained in this
19 Act for the payment of personal services in the District of
20 Columbia, the Director shall fix compensation according to
21 the Classification Act of 1923, as amended.

22 Miscellaneous expenses: For stationery, supplies, ma-
23 terials and equipment, freight, express, and drayage charges,
24 washing towels, advertising, purchase of lawbooks and books
25 of reference, periodicals and newspapers, communication

1 service and postage; for the maintenance, repair, and oper-
2 ation of one motor-propelled delivery truck; for rent in the
3 District of Columbia, and elsewhere; for official traveling
4 expenses and other miscellaneous expenses not otherwise
5 provided for, necessary to effectively carry out the provisions
6 of the Act providing for the administration of the United
7 States Courts, and for other purposes, \$24,000: *Provided*,
8 That section 3709 of the Revised Statutes (41 U. S. C. 5)
9 shall not be construed to apply to any purchase or service
10 for the Administrative Office of the United States Courts
11 when the aggregate amount involved does not exceed the
12 sum of \$50.

13 SEC. 202. As used in this title, the term “circuit
14 court of appeals” includes the United States Court of Appeals
15 for the District of Columbia; the term “senior circuit judge”
16 includes the Chief Justice of the United States Court of
17 Appeals for the District of Columbia; the term “circuit judge”
18 includes associate justice of the United States Court of
19 Appeals for the District of Columbia; and the term “judge”
20 includes justice.

21 SEC. 203. No part of any appropriation contained in
22 this Title shall be used to pay in excess of \$2 per volume for
23 the current and future volumes of the United States Code
24 Annotated or in excess of \$3.25 per volume for the current
25 or future volumes of the Lifetime Federal Digest.

1 SEC. 204. This title may be cited as "The Judiciary
2 Appropriation Act, 1944".

3 TITLE III—GENERAL PROVISIONS

4 SEC. 301. No part of any appropriation contained
5 in this Act shall be paid to any person for the filling
6 of any position for which he or she has been nominated
7 after the Senate has voted not to approve of the nomination
8 of said person.

9 SEC. 302. No part of any appropriation contained
10 in this Act shall be used to pay the salary or wages
11 of any person who advocates, or who is a member of an
12 organization that advocates, the overthrow of the Govern-
13 ment of the United States by force or violence: *Provided*,
14 That for the purposes hereof an affidavit shall be considered
15 prima facie evidence that the person making the affidavit
16 does not advocate, and is not a member of an organization
17 that advocates, the overthrow of the Government of the
18 United States by force or violence: *Provided further*, That
19 any person who advocates, or who is a member of an organ-
20 ization that advocates, the overthrow of the Government of
21 the United States by force or violence and accepts employ-
22 ment, the salary or wages for which are paid from this appro-
23 priation contained in this Act, shall be guilty of a felony and,
24 upon conviction, shall be fined not more than \$1,000 or
25 imprisoned for not more than one year, or both: *Provided*

1 *further*, That the above penalty clause shall be in addition
2 to, and not in substitution for, any other provisions of existing
3 law.

4 SEC. 303. This Act may be cited as the "Legislative and
5 Judiciary Appropriation Act, 1944".

Passed the House of Representatives April 8, 1943.

Attest:

SOUTH TRIMBLE,

Clerk.

AN ACT

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

APRIL 9 (legislative day, APRIL 6), 1943

Read twice and referred to the Committee on Appropriations

LEGISLATIVE AND JUDICIARY
APPROPRIATION BILL FOR 1944

LEGISLATIVE AND JUDICIARY
HEARINGS

BEFORE A

SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE

SEVENTY-EIGHTH CONGRESS

FIRST SESSION

ON

H. R. 2409

A BILL MAKING APPROPRIATIONS FOR THE LEGISLATIVE
BRANCH AND FOR THE JUDICIARY FOR THE
FISCAL YEAR ENDING JUNE 30, 1944,
AND FOR OTHER PURPOSES

Printed for the use of the Committee on Appropriations

May 5, 1943



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SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS

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JOHN H. OVERTON, Louisiana

STYLES BRIDGES, New Hampshire

HARRY S. TRUMAN, Missouri

WALLACE H. WHITE, Jr., Maine

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HAROLD H. BURTON, Ohio

DENNIS CHAVEZ, New Mexico

BURNET R. MAYBANK, South Carolina

EVERARD H. SMITH, *Clerk*

LEGISLATIVE AND JUDICIARY APPROPRIATION BILL, 1944

WEDNESDAY, MAY 5, 1943

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D. C.

The subcommittee met, pursuant to call, at 10:30 a. m., in the committee room, the Capitol, Hon. Millard E. Tydings, presiding.

Present: Senators Tydings, Overton, Maybank, and Burton.

Senator TYDINGS. Gentlemen, the committee will come to order, and we will proceed with the consideration of H. R. 2409, a bill making appropriations for the legislative and judicial branches. Now, if it is the pleasure of the committee, Mr. Doxey is here and we will hear him first.

SENATE

OFFICE OF SERGEANT AT ARMS

STATEMENT OF HON. WALL DOXEY, SERGEANT AT ARMS, UNITED STATES SENATE

CLERK TO THE SERGEANT AT ARMS

Mr. DOXEY. Mr. Chairman and members of the committee: I appreciate this opportunity to appear before you and I am going to be just as brief as possible.

I have been Sergeant at Arms since February 1, and I have endeavored to do the very best I could, and I want to say that I have had mighty good help and wonderful cooperation.

Senator Hayden will be here this morning, and the purpose of his appearing before you is this: When I took over the duties of Sergeant at Arms, I had a discussion with the chairman of the patronage committee regarding a situation in the office that I wanted to clear up. There were at least four positions that I felt could be eliminated and at the same time, I wanted an efficient secretary. My secretary, Miss Mountjoy, had been with me ever since I came to Congress, in 1929; she was with me in the House, went with me to the Senate, and was willing to come here, but there was no opening for her until I worked out, in cooperation with the patronage committee, the elimination of some of the jobs connected with the office, and she was put on temporarily at \$3,100, but we felt she was entitled to \$3,300, which was the salary she received while employed in my office in the Senate.

ELIMINATION OF CERTAIN POSITIONS

Therefore I eliminated four jobs totaling \$6,120, and that made a saving of \$2,820. It was quite satisfactory with everybody concerned.

Senator TYDINGS. What do you want to do with that now?

CLERK TO SERGEANT AT ARMS

Mr. DOXEY. I ask you to look at your bill, page 9. I suggest that on page 9, line 21, insert at the beginning of the line "\$3,300."

Senator TYDINGS. Instead of \$3,120?

Mr. DOXEY. No. Insert \$3,300 and follow with "one", so that it will read "\$3,300, one \$3,120, one \$2,200," and so forth.

NET SAVINGS BY ABOLITION OF CERTAIN POSITIONS

Senator TYDINGS. Now, let me ask you how does that leave the net savings, if we do this, as contrasted with the positions which you have abolished?

Mr. DOXEY. All right; I will show you in just a minute.

Senator TYDINGS. I mean in dollars and cents.

Mr. DOXEY. It will save \$2,820.

Senator TYDINGS. That is what I wanted to know.

POSITIONS ABOLISHED

Mr. DOXEY. Because on line 9, page 21, we ask you to strike out "one \$2,100." That job has been abolished.

Then, on page 9, line 24—

Senator OVERTON. What is the second one you mentioned?

Senator TYDINGS. That is line 9?

Mr. DOXEY. Page 9.

Senator TYDINGS. Line 21, strike out \$2,100?

Mr. DOXEY. That is right. That job has been abolished.

Senator TYDINGS. Now, what is the next one?

Mr. DOXEY. Page 9, line 24, strike out the word "one."

And, on page 10, line 1, strike out "\$1,500." That job has been abolished.

Senator BURTON. In line 24, page 9, the word "one" is stricken out?

Mr. DOXEY. That is right.

Line 1, page 10, is where you strike out the figure "\$1,500," and in line 24, at the bottom of the page, page 9, strike out the word "one."

Senator BURTON. At the end of the line.

Senator TYDINGS. Now, go ahead.

Mr. DOXEY. All right. Then, on page 11, line 2, strike out the word "thirty."

Senator TYDINGS. Where is that?

Mr. DOXEY. Page 11, line 2. And insert in lieu thereof "twenty-eight."

Those other two jobs at \$1,260 each have been abolished.

Senator TYDINGS. In other words, that will make a net savings in the conduct of your office of \$2,820 a year?

Mr. DOXEY. In that particular clerical help; that is right.

Senator TYDINGS. What you have eliminated, and what you add, leaves a net savings of \$2,100?

Mr. DOXEY. A net savings of \$2,820.

Senator TYDINGS. I think we have got that all right.

Mr. DOXEY. I am sure you have.

Senator TYDINGS. Unless the committee wants to ask some further questions about that, we will take up the next item.

Senator MAYBANK. Mr. Chairman, if agreeable, I would like to ask a question on another matter while Mr. Doxey is here.

Senator TYDINGS. Very well.

EMPLOYEES IN CABINETMAKER SHOP

Senator MAYBANK. I want to ask about the salaries of the people who are working over here in the woodworking establishment, or whatever it may be called.

Mr. DOXEY. Yes, sir; in the cabinetmaker shop.

Senator MAYBANK. Whatever the proper name is.

Mr. DOXEY. Yes.

Senator MAYBANK. You have charge of that?

Mr. DOXEY. Yes, sir.

Senator MAYBANK. I understand that the wages of the people over here are not comparable with those who do the same or similar work in the House.

Mr. DOXEY. Briefly, I want to say that I made a pretty thorough investigation of all departments under my jurisdiction, and you will find in this bill here on page 10, in line 9 it says "upholsterer and locksmith, \$2,600."

Senator MAYBANK. That is the man.

Mr. DOXEY. Yes, sir.

That is Mr. T. B. Huskey, and gentlemen, there is not a better workman anywhere in the country than he.

Senator TYDINGS. What does the comparable man in the House get?

Mr. DOXEY. The comparable man in the House is getting \$2,800 and in the Senate electrical shop, right across the hall from him, which is under the superintendent of the Senate Office Building, the comparable man gets \$2,700.

Senator TYDINGS. Well now, is this a long-time condition, or did the House raise the House employees recently?

Mr. DOXEY. Senator, I am not prepared to state whether or not they did. Mr. Trice may know.

Senator TYDINGS. Of course, without reflecting on the Senate man's ability in the slightest, I might take issue with what you say. He has to take care of 435 Members, whereas over in the Senate we only have 96 Members.

It is true there is more work per man in the Senate, perhaps, than there is per man in the House, perhaps; but nevertheless the woodworking shop and cabinetmakers' duties over there, I would imagine, would require a greater volume of work than it would occasion here in the Senate.

Mr. DOXEY. No doubt that is correct. I do not know the conditions in the House, but I do know these men in the Senate shop are busy all of the time, and Mr. Huskey is not a superintendent who

will sit around. He has got his coat off and is in there working, and his office is open from 8:30 in the morning until 5 in the afternoon.

Senator TYDINGS. Now, he is the only one encompassed in Senator Maybank's observations?

CABINET WORK PERFORMED BY CARPENTERS

Mr. DOXEY. I want to tell you what I think about it. We have got a man over there by the name of Bellia, and if no one else gets anything, that one fellow should be raised. He is the man who makes these chairs. He is the best workman I ever saw.

Senator TYDINGS. He makes what chairs?

Mr. DOXEY. Makes these chairs we have around here, the seats, and the backs. The Senate chairs—you can't buy them in the market now.

Senator TYDINGS. What is his position here?

Mr. DOXEY. His position is included in "three carpenters," right here on page 10, in line 10.

You see, Mr. Huskey is the chief cabinetmaker and along with his other duties—

Senator TYDINGS. Three carpenters?

Mr. DOXEY. Yes, sir. Who work under him. One of them is Mr. Bellia.

Senator TYDINGS. Now, he is one of the three carpenters?

Mr. DOXEY. He is one of the three carpenters. He really ought to be classed as a cabinetmaker, Mr. Bellia.

Senator TYDINGS. What does the comparable man get over in the House?

Mr. DOXEY. Well, I guess he gets \$2,300, or he might get \$2,596.

Senator TYDINGS. Your recommendation is that he be put on all fours with the similar employee in the House of Representatives?

INCREASE IN PAY FOR UPHOLSTERER AND LOCKSMITH AND CHANGE OF TITLE TO "CHIEF CABINETMAKER"

Mr. DOXEY. Well, I do not say that. I talked with Mr. Huskey about this matter, and have found that those men over there in the cabinet shop are mighty reasonable. Therefore, I will make this suggestion, if the clerk will take it. I would like to see this—it would not be comparable with what they are getting over in the House—but I would like to see that on page 10, line 9, Mr. Huskey be called a chief cabinetmaker instead of upholsterer.

Senator TYDINGS. And give him how much money?

Mr. DOXEY. I think \$2,780. That is less than the House man, but it is comparable to what his neighbor gets right across the hall.

CABINETMAKER

Senator TYDINGS. Now, will you go on to the next item?

Mr. DOXEY. Well, right there is "Cabinetmaker, \$2,040." Just leave that as it is, because he is the fellow who frames the pictures, and such things.

Senator TYDINGS. All right; let us go on to the next.

CHANGE OF TITLE OF "CARPENTER" TO "CABINETMAKER" AND INCREASE IN SALARY

Mr. DOXEY. These three carpenters, gentlemen, ought to be realigned or reclassified. I should like in line 10, on page 10, for that to say "Cabinetmaker, \$2,300." That is that fellow Bellia.

CHANGE OF TITLE OF "CARPENTER" TO "FURNITURE FINISHER" AND INCREASE IN SALARY

Senator TYDINGS. The other two remain the same?

Mr. DOXEY. No, sir.

Now, that furniture finisher is a real artist. He does work here that we could not have done anywhere else, and I have seen him take this old stuff and have seen what he can do with it—he is a real furniture finisher.

Senator TYDINGS. What do you recommend?

Mr. DOXEY. I think \$2,300 for him would be little enough. That is not much of a raise.

Senator TYDINGS. And you would leave what?

Mr. DOXEY. I would leave the upholsterer and the others just like they are.

Senator TYDINGS. And further recommendations?

Mr. DOXEY. With reference to that particular cabinet job, that would be the recommendation that I think would be fair and reasonable and it does not compare with the House, but I do not know what the House does; however, I do know that these fellows are on the job and that they are doing a grand job in the Senate Cabinet Shop.

STATEMENT OF HON. CARL HAYDEN, A UNITED STATES SENATOR FROM THE STATE OF ARIZONA

CLERK TO THE SERGEANT AT ARMS

Senator HAYDEN. Mr. Chairman, could I interrupt for one moment?

When this gentleman became Sergeant at Arms of the Senate, he told me that he would like to conduct an efficient office and that he did not think he could do so without the help of the lady who has been his secretary in the House and his secretary in the Senate. I said that if four needless people were removed from the pay roll of the Sergeant at Arms with 2 weeks' notice, that it ought to be possible to take care of the pay of a competent secretary.

Senator TYDINGS. At a net savings?

Senator HAYDEN. At a net savings; and that has been done.

Senator TYDINGS. He has explained that; and, you think that it was a wise thing to do?

Senator HAYDEN. I recommended that the Sergeant at Arms do it, and he did discharge them, and then his secretary was made a temporary employee, but the position should be made permanent. So if the committee will abolish the four places that are in the bill and then provide for one secretary at \$3,300, that would be the right thing to do.

STATEMENT OF HON. WALL DOXEY, SERGEANT AT ARMS—Resumed**SUMMARY OF CHANGES IN CABINETMAKER SHOP**

Senator BURTON. You have suggested a change both in the title and the amount in lines 9 and 10. Will you give line 10 as correct, or as recommended by you?

Mr. DOXEY. Yes, sir. On page 10, line 9, strike out "upholsterer" and insert "chief cabinetmaker." That is Huskey. Strike out "\$2,600" and insert "\$2,780."

Senator BURTON. Strike out both "upholsterer and locksmith"?

Mr. DOXEY. That is right; and insert "chief cabinetmaker."

On page 10, line 10, strike out "three carpenters, at \$2,040 each," and insert "cabinetmaker, \$2,300." That is Bellia.

I wish you would stop by some time and see that fellow work. He could get twice the salary if he wanted to quit.

Then, for furniture finisher, \$2,300 and upholsterer at \$2,040, leave as it is.

Senator TYDINGS. That is all right. Now, Senator Burton, do you have anything further?

COOPERATIVE SPIRIT OF SERGEANT AT ARMS OFFICE

Mr. DOXEY. Just this further request with regard to the office force, and then I am through. As I say, I have had wonderful cooperation. Mr. Trice and all of the others have given me wonderful cooperation, but we are going to lose Mr. William Cheatham, a fine young man who works in my office. He is going in the armed service on June 10, and I want to carry him right on the pay-roll for a reasonable time. I do not know who is going to fill his job, or whether it will be filled or not, or how it will be filled. I am going to give him some leave. He is entitled to it. Bill Cheatham has been working in the capitol for many years and is most efficient and deserving—he will be greatly missed.

I just want to say that I appreciate the office force I have, and I am sure the addition of Miss Mountjoy is quite an asset to the office of Sergeant at Arms of the Senate, and I am here to serve you gentlemen as best I can; so is my entire office staff.

Senator TYDINGS. All right.

STATEMENT OF HON. GEORGE L. RADCLIFFE, A UNITED STATES SENATOR FROM THE STATE OF MARYLAND**PROPOSED INCREASE IN SALARY FOR THE JANITOR**

Senator TYDINGS. Senator Radcliffe.

Senator RADCLIFFE. Mr. Chairman, I have introduced an amendment with regard to the position held by Samuel K. Martin.

Samuel K. Martin is an employee of the Sergeant at Arms of the Senate, and is carried on the roll as janitor at \$2,400 per annum. Mr. Martin was first appointed as janitor on October 1, 1930. Prior to that time he had served as a private on the police force of the Capitol, and was appointed in that capacity on May 1, 1922.

Mr. Martin has under his jurisdiction a force of 33 laborers whose duty it is to keep clean the ninety and odd rooms in the Senate wing of the Capitol, the Senate chamber and corridors.

He keeps in his custody the various supplies and furniture that are needed for replacement purposes. The furnishing of supplies and materials to the Senate wing of the Capitol is a full-time job which requires industry, efficiency, and competency.

The amendment would make his salary \$3,000 a year. As to Samuel K. Martin, I think everybody has a high opinion of the work which he is doing, and of his industry and efficiency. I am sure of that.

Senator TYDINGS. How does that compare with the similar position in the House?

Senator RADCLIFFE. I do not have that.

Senator TYDINGS. We will be very glad to entertain the suggestion, Senator Radcliffe.

Senator RADCLIFFE. Thank you.

Mr. DOXEY. If you will pardon me, Senator, that position in the House pays \$2,700. They have but five men. They tell me that Martin is the best man they have ever had on the job.

OFFICE OF SERGEANT AT ARMS

STATEMENT OF HON. WALL DOXEY, SERGEANT AT ARMS—Resumed

SAVINGS MADE BY ABOLITION OF CERTAIN POSITIONS

Senator MAYBANK. I would like to ask Mr. Doxey one or two more questions. You stated in answer to Senator Tydings' question some time ago, in reference to the Sergeant at Arms' office, as I understood, that you had a net savings over and above the raise in your particular office, of \$2,820?

Mr. DOXEY. That is right; in my particular office.

Senator MAYBANK. How do the other offices that are under you, such as this office, compare; have there been any raises?

Mr. DOXEY. None. They are the same as in the appropriation for last year.

SAVINGS WILL MORE THAN COVER INCREASES ASKED FOR EMPLOYEES IN CABINETMAKER SHOP

Senator MAYBANK. Well, then, if the cabinetmaker is increased, as compared with the House Sergeant at Arms' office, you will still show a material decrease?

Mr. DOXEY. A decrease in my immediate office which will more than make up for the raise in the cabinetmaker's office.

Senator MAYBANK. Do you know what the raise for the cabinetmaker would amount to?

Mr. DOXEY. In dollars and cents?

Senator MAYBANK. Yes.

Mr. DOXEY. I can give that to you in just about 2 seconds.

Senator MAYBANK. It will be all right if you will put it in the record.

Mr. DOXEY. The increase asked for in the cabinet shop amounts to a total of \$700. So the savings in my immediate office would more than offset that.

CAPITOL POLICE

Gentlemen, I just want to make an observation about the Capitol Police. You are all interested, and of course, in our police force—they are under the Sergeant at Arms. They are part of the Sergeant at Arms force, on this side of the Capitol, and in the Senate Office Building. We have got 33 Senate Office Building policemen and 60 Capitol Police; the House has got 39. But there are 132 Capitol Police in all.

Gentlemen, we have been working to improve our police force since I have been Sergeant at Arms, and I think we have made an improvement in the personnel. It is a hard proposition, I want to tell you; \$1,620 a year is not much money now.

When I asked you gentlemen for your pictures, I put them to some practical use. Every policeman and every elevator boy sees those pictures, and they know who the Senators are. I have taken them in and shown them the pictures. You do not get on these elevators without them knowing that you are a Senator. I appreciate your position and I am going to take just as much off of you as I possibly can; but something ought to be done some way about this Capitol Police force somehow. They deserve an increase in pay.

PAY INCREASE RECOMMENDED

Now, Mr. Romney went before the committee over in the House and recommended an increase. Well, certainly, I am in favor of an increase. He recommended an increase from \$1,620 to \$1,740. We have an awful time getting good men. Of course, you men who have policemen on your patronage know that you have them today and they are gone tomorrow; but I am very much gratified from the conferences I have had with these policemen. We are working together, and we are trying to put something into the Capitol Police to make it have a reputation as being as efficient and effective as possible, and you will notice an information sign at the desk as you come into the building, and if those policemen cannot give you the information asked for, or cannot give it to the public, I usually want to know it, because I have tried to give service through them, and we are all working together, and I do not know what you are going to do or whether you are going to consider the Capitol Police or not for a raise in salary—but certainly \$1,620 a year is a mighty small salary. I hope the salary of Capitol policemen can be raised this year. They are entitled to a raise.

Senator TYDINGS. The House turned it down, did they not?

Mr. DOXEY. The House did not put any raise in for the Capitol Police.

Now, I am just here to help you and work it out in any way we can. I can give you a lengthy report about the Capitol Police. I am happy to report that we have eliminated some of the least efficient on that police force, and we have improved it. We have, generally speaking, excellent men on the force and a number of the men are above the draft age. I am one official who has not asked for deferment for anybody.

INSTRUCTION OF CAPITOL POLICE

Senator MAYBANK. One thing more, Mr. Chairman, that I want to ask about, and that is the instruction of the Capitol Police.

Mr. DOXEY. Instruction?

Senator MAYBANK. Yes. How do you do that?

Mr. DOXEY. I just have a heart-to-heart talk with them.

RESTRICTION ON USE OF TELEPHONES

Senator MAYBANK. I want to ask you this question. They have telephones in the building where the police are located?

Mr. DOXEY. That is right.

Senator MAYBANK. Do they let people who might come into the building use those telephones?

Mr. DOXEY. People who come into the Senate Office Building?

Senator MAYBANK. Yes.

Mr. DOXEY. Well, they do not let the general public use them. Here is a situation we have. Some Senator comes up there; and the phone is being used by an outsider and the Senator can't use the phone when he wants it; its busy.

Senator MAYBANK. That is right.

Mr. DOXEY. I have talked with the captain, and I think that every one of the policemen have been given orders to use common-sense judgment. They know who the Senators are and they know who the secretaries are. But, they are not to let every Tom, Dick, and Harry who comes in here use those telephones.

Senator MAYBANK. That is just what I wanted to bring out. The Capitol Police at times refuse to let the office forces use telephones.

I would appreciate it, if it is agreeable to the committee, and this is the proper place to take it up, if at any time any clerk in an office makes a statement that they have an important call, that they be allowed to use the telephone. The other afternoon they refused to let a member of my staff use the telephone and it was necessary to go all around the building to call me.

Mr. DOXEY. I heard something about that, Senator, and I am sorry that it happened. An order went down which was pretty drastic not to let any outsiders use these telephones. Senator, but that did not apply to the Senators, or their office forces. It was just a case of a policeman enforcing the order a little too drastically. Policemen have to use their best judgment and discretion.

Senator MAYBANK. When you have an important call to make, it should not be necessary for you to go all the way back to the office.

Mr. DOXEY. I want to tell you something about secretaries using the telephones, Senator.

Senator MAYBANK. I think that they ought to be permitted to use them in the case of an emergency of that kind.

Mr. DOXEY. I am all out for the secretaries; and know what they mean to a Senator, and I feel sure we can work this out satisfactorily to all.

Senator MAYBANK. I hope so.

PROPOSED INCREASE FOR ONE MESSENGER ACTING AS ASSISTANT
DOORKEEPER

Senator TYDINGS. Is there anything further on that? Mr. Doxey, I have a letter here from Senator Reynolds.
(The letter is as follows:)

MAY 5, 1943.

HON. MILLARD TYDINGS,
United States Senator,
Washington, D. C.

MY DEAR SENATOR: You will recall I have spoken to you on one or two occasions concerning an increase in pay for one of the Capitol employees and my good friend, Mr. Samuel P. Griffin, who for many years has been serving on the card door at the entrance to the Senate reception room.

For the past 2 years Mr. Griffin has been serving and acting as assistant doorkeeper, and his present salary is \$1,740. I think in view of the services Mr. Griffin has been called upon to render for the past year or two, and which he in all probability will have to continue to render due to circumstances which exist on the door at the present time, that his salary should certainly be increased to at least \$2,400 per annum. I hope when the legislative appropriation bill comes before your committee for consideration that you will be able to include the aforementioned item in the form of an increase for my good friend Griffin.

Sincerely yours,

ROBERT R. REYNOLDS,
United States Senator.

Do you have any comment to make on that?

Mr. DOXEY. Everyone who knows Samuel Griffin knows that he is a likable efficient fellow. He has been there for a long time and is a mighty good man. He is one who has been there for quite a long time and some of them—I do not know whether they are doing comparable work or not—but some of them are getting more than Griffin gets, are they not, Mr. Trice?

Mr. TRICE. Yes.

TRANSFER OF ATTENDANT FROM ROLLS OF SERGEANT AT ARMS TO ROLLS OF
ARCHITECT OF CAPITOL

Senator TYDINGS. We have a request for the transfer of one attendant authorized by Senate Joint Resolution No. 252 adopted May 13, 1938, salary \$1,500, from the sergeant at arms to the Architect of the Capitol.

Dr. Calver has made this request. We will not act on it now, but I would like for the record to show that he wants the transfer made to the Capitol Building and Grounds rather than leaving the position under the Sergeant at Arms. The record will show that, and we will consider it in executive session.

HOUSE OF REPRESENTATIVES

COMMITTEE ON THE REVISION OF THE LAWS

STATEMENT OF HON. EUGENE J. KEOGH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

PREPARATION OF A NEW EDITION OF THE UNITED STATES CODE

Mr. KEOGH. Mr. Chairman and members of the committee, I am appearing here this morning at the direction and with the authority of

the Committee on Revision of the Laws, and I am asking consideration for an item, a copy of which I submit to you.

Senator TYDINGS. Do you want me to read it?

Mr. KEOGH. I will read it. (Reading:)

TEXT OF PROPOSED AMENDMENT

Revision of the law: For preliminary work in connection with the preparation of a new edition of the United States Code, including the correction of errors as authorized by the act approved March 2, 1929 (45 Stat. 1541), fiscal year 1944, \$100,000 to be expended under the supervision of the Committee on the Revision of the Laws.

Now, Mr. Chairman, if I may be permitted to make a brief statement, I will be glad to answer any questions following it.

The form of this request is worded as it is in order to avoid any point of order being raised in connection with it.

NATURE OF WORK PROPOSED TO BE UNDERTAKEN

Our committee hopes with this appropriation to undertake for the first time since 1911, a substantive revision of titles 18 and 23 of the United States Code, being the titles on crimes and criminal procedure and those relating to the judiciary. The bulk of the present law on these subjects is contained in the United States Code, title 18, Criminal Code and Criminal Procedure, and title 28, Judicial Code and Judiciary, but there are, however, related laws in the other 48 titles of the United States Code. However, as you know, the various titles of the code are not absolute law, but merely *prima facie* evidence of the law, so we are seeking authority to do this work.

HISTORICAL BACKGROUND OF THE LAWS AND NEED FOR REVISION AND CODIFICATION

If I may be permitted I should like to give you a brief outline of the historical background of the laws and the imperative need for a revision and codification at this time. It should be borne in mind that the Committee on Revision of the Laws, which is requesting this appropriation, was created in 1868 for the purpose of codifying and revising the laws of the United States. This committee has been constantly engaged since 1925 in preparing the several editions of and supplements to the United States Code, which, as I have pointed out, is merely *prima facie* evidence of the law. To find the positive law one must have recourse to the Revised Statutes of 1874 and each of the 39 volumes of the Statutes at Large which have been enacted since the Revised Statutes. Manifestly such a formidable task could not be undertaken each time one wanted to know the status of the law on any subject, and the United States Code, even though only *prima facie* evidence of the law, is most useful and has been received by the bench and bar and those interested in the laws of the United States as a tremendous step toward the adoption of a real body of the general and permanent laws of the United States.

ENACTMENT OF REVISED STATUTES IN 1874

The Revised Statutes enacted in 1874 constituted a revision and consolidation of the statutes in force on December 1, 1873, and con-

tained titles relating to the judiciary and crimes and repealed all prior laws incorporated therein. There was incorporated for the first time a real code of the general and permanent laws and if the structure then created had been preserved and used as a framework for all future legislation, neither I nor my committee would be before you today. However the enactment of the Revised Statutes was the result of a temporary committee—

Senator TYDINGS. May I interrupt you for just a single question? Did you have this matter up before the House Appropriations Committee?

Mr. KEOGH. Yes; and if I may be permitted to defer my giving a history of the item, I would appreciate it very much.

ENACTMENT OF THE CRIMINAL CODE IN 1909 AND THE JUDICIAL CODE IN 1911

The enactment of the revised statutes was the result of a temporary committee especially appointed to prepare such revision and consolidation and there was no provision made for a permanent preservation of the code structure then created.

Similarly in the early part of this century when the need for another revision and codification became apparent because new laws had been enacted without specifically amending the appropriate titles of the Revised Statutes, new commissioners were appointed and their work resulted in the enactment of the Criminal Code in 1909 and the Judicial Code in 1911, both of which contained all the general and permanent law then in force on their respective subjects. Again the fine work of a temporary commission has been practically nullified because the structure of law then created was not maintained.

NO BODY OF GENERAL AND PERMANENT LAW RELATING TO THE JUDICIARY OR CRIMES AND CRIMINAL PROCEDURE

As a result we have today no body of general and permanent law relating to the judiciary or crimes and criminal procedure. Such a situation in a great country like ours is almost unbelievable. I believe that a majority of the several States presently have a positive code of their own laws and we, in Washington, should not lose any time in procuring a code of Federal laws.

I have personally introduced four bills each intended to enact into positive law, without material change, a separate title of the present United States Code, and I hope in the future to continue the introduction of such bills. These bills are being prepared without the benefit of any appropriation therefor, and despite the fact that they make no material change in the law as it appears in the United States Code, have required several hundred hours of work. The titles relating to the judiciary and crimes and criminal procedure as they exist today in the United States Code, although they are prima facie evidence of the general and permanent laws on those subjects in force today, cannot be enacted into positive law without material revision. Therefore, the Committee on Revision of the Laws has directed me to appear before you in support of its request for an appropriation for such an undertaking.

COST OF PREVIOUS CODIFICATIONS

It is my understanding that the Revised Statutes were prepared when there were only 17 volumes of the Statutes at Large, at a cost of about \$130,000. I also understand that the cost of the preparation of the Criminal Code and the Judicial Code, when there were only 35 or 36 volumes of the Statutes at Large, was over \$204,000.

AMOUNT REQUESTED FOR WORK

The Committee on Revision of the Laws, which is a standing committee of the House of Representatives, now requests an appropriation of \$100,000 to undertake the revision of these laws. Because the committee is a standing committee and has the experience gained since 1925 in the preparation of the Codes of Laws of the United States and of the District of Columbia, we believe that we can do the work efficiently for such an amount.

If I may be permitted, I should like to refer you to a letter from the Edward Thompson Co. and the West Publishing Co., which appears in the hearings on this item in the House committee, on page 41, and following. There it is estimated that the publishing of the editorial work cost in the neighborhood of \$85,000. We are asking the additional sum in order to provide the committee with sufficient experts and professional assistants, so that the job may be properly supervised.

RULES OF CIVIL PROCEDURE

I should like to point out that since the enactment of the Judicial Code in 1911 there has been adopted a body of Rules of Civil Procedure which have had considerable effect on the laws and should be integrated in a revision of the law. This alone is a considerable task.

RECOGNITION OF NEED FOR A REVISION OF THE CRIMINAL AND JUDICIAL LAWS

We are all familiar with the vast improvement in internal revenue laws made by the enactment of the Internal Revenue Code in 1939. The need for a revision of the criminal and judicial laws has long been recognized. The house of delegates of the American Bar Association at its midwinter meeting in 1940 went on record as approving a revision. Again in 1941 the American Bar Association committee on jurisprudence and law reform reported that—

* * * the revision of the Judicial Code * * * should be pushed to as speedy a conclusion as practicable.

In addition to that, I might refer you gentlemen to the remarks of our former colleague in the House, Walter Chandler, of Tennessee, who took a leading part in creating the public opinion for this work. There in the Record of October 30, 1939, he covers the subject rather exhaustively and I shall not take up your time now to do it.

COST OF PREPARING CRIMINAL CODE IN 1911 AND COST OF PREPARING STATE AND CITY CODES

I would, however, like to point out in connection with the amount we ask for, that when the general Criminal Code was enacted in 1911

the cost was \$204,498, and as an example of the cost of other revisions, I would like to call to the attention of your committee that for preparing the Administrative Code of the City of New York in 1937, there was expended \$175,000; for consolidating and revising the Laws of Massachusetts there was appropriated the sum of \$150,000; for the Laws of Connecticut, \$300,000; of New Jersey, \$600,000; of West Virginia, \$300,000.

ACTION TAKEN BY HOUSE ON ITEM

At the direction of the Committee on Revision of the Laws, I appeared before the Legislative Subcommittee of the House and I sought an approval of this item. The form in which it was then submitted to the committee seemed to result in the committee's taking the opinion that the item would have been subject to a point of order for the lack of authorizing legislation and, therefore, neither the subcommittee nor the full committee considered this item on its merits.

Subsequent to my appearance and the consideration of the bill on the floor of the House, I amended my request in the form that I have submitted it to you and obviously avoided any point of order being raised or sustained.

When the bill was under consideration by the House, I offered an amendment. That amendment was adopted in the Committee of the Whole by a vote of 103 to 67 and when the Committee resolved itself back into the House, on the demand for a separate vote and on a division, the amendment carried 92 to 72. Thereafter, the point of order of no quorum was made and on the roll call that followed, the amendment was defeated by a vote of 177 to 184.

That appears in the Record of April 8, 1943.

I have undertaken to obtain and have in fact obtained 15 letters from Members of the House who were not present on the occasion of the roll call.

Senator TYDINGS. You do not need to read those, but put them in the record.

Mr. KEOGH. If I may be permitted to, I would like to submit them only for examination of the committee and not have them made a part of the record.

Senator TYDINGS. Well, that will be fine. And, they all say that if they had clearly understood the situation they would have voted the other way?

Mr. KEOGH. Exactly.

Senator TYDINGS. Which would have given you a majority in the House.

Senator BURTON. Then as I understand, they did not vote?

Senator TYDINGS. They did not vote at all.

Mr. KEOGH. They did not vote.

Senator TYDINGS. Let me say for for the record at this point, Congressman Keogh submitted the letters of 15 Members of the House who were unavoidably absent.

Mr. KEOGH. That is correct.

Senator TYDINGS. And who have since stated that they regret that they were not present, and had they been present they would have supported his motion which, assuming the number present had been

the same, would have given him a majority, and kept the amendment in the bill.

Mr. KEOGH. That is correct.

Senator TYDINGS. We will not have to use the letters then.

Mr. KEOGH. I am very much obliged for that suggestion.

In addition to that, I have two letters from Members who voted who now indicate that they have given it further consideration, and that if the item were put in the bill, they would support it.

Now, I realize the rather natural reluctance on the part of this committee to consider items left out of the House bill; but this item is only technically in the House bill, because the Senate has no committee on the revision of the laws, and it affects the Congress rather than the House.

Senator TYDINGS. Your argument is that if we put it in and take it to conference the House will have a chance then to reconsider the matter and either adopt or reject it?

Mr. KEOGH. Yes, sir.

Senator TYDINGS. Let me observe you feel that the matter is worthy of reconsideration and from your exploration in the House and the members of the committee that the matter will at least be welcome from the standpoint of the request?

Mr. KEOGH. I have no doubt about that at all, Senator, and I am certain that if those who responded to the roll call had been present during the general debate that the amendment would have carried.

Senator TYDINGS. We thank you very much, Congressman. I think that we have the points in our minds very clearly and will be able to act upon it. We will give it every consideration.

Mr. KEOGH. I am very much obliged to you.

SENATE

CLERK TO THE SECRETARY OF THE MINORITY

Senator TYDINGS. Gentlemen, at this point let me state that in the last session in the legislative appropriation bill the Senate committee raised the pay of the clerk to the secretary of the majority and did not raise the pay of the clerk to the secretary of the minority. It has always been the rule of the Senate to keep both these positions on the same level. How it was overlooked, I do not know.

Senator McNary has come to me about this matter and also Mr. Loeffler, who is the secretary to the minority, and if there is no objection to it, this adjustment can be made. It is the established policy, and I think it would be wise that the \$120 increase be made applicable to the clerk to the secretary of the minority as well as the clerk to the secretary of the majority.

THE JUDICIARY

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

STATEMENTS OF HENRY P. CHANDLER, DIRECTOR; ELMORE WHITEHURST, ASSISTANT DIRECTOR; ROYAL E. JACKSON, BUDGET AND ACCOUNTING OFFICER; AND JOHN C. BROWN, JR., ASSISTANT BUDGET AND ACCOUNTING OFFICER

SALARIES OF CLERKS OF COURTS AND MISCELLANEOUS EXPENSES

Senator TYDINGS. Mr. Chandler, give us your name and position, and then state your case.

Mr. CHANDLER. I am Henry P. Chandler, Director of the Administrative Office of the United States Courts. There are with me here Mr. Elmore Whitehurst, the Assistant Director; Mr. Jackson, our budget and accounting officer, and Mr. Brown, his assistant.

LETTER REQUESTING CERTAIN AMENDMENTS

Senator TYDINGS. Mr. Chandler, you have written me a letter concerning your recommendations. Does that letter comprehensively state your case?

Mr. CHANDLER. The letter comprehensively states the case; yes, sir.

Senator TYDINGS. Suppose you read that letter into the record for the information of the committee. Then if it is clear to us, there is no need of further testimony; if not, the members will interrogate you.

Mr. CHANDLER. The letter is dated April 12, 1943 [reading]:

MY DEAR SENATOR TYDINGS: In accordance with your letter of the 7th instant, I respectfully request changes in two appropriations for the judiciary contained in the legislative and judiciary appropriation bill for 1944 as passed by the House of Representatives, namely, (1) the appropriation for salaries of clerks of courts (p. 55, lines 17-20, of the bill as reported to the House), and (2) the appropriation for miscellaneous expenses (p. 59, lines 5-22, of the bill as reported to the House).

1. I would ask that the amount of the appropriation for clerks' salaries (p. 55, line 20 of the bill as reported to the House) be increased from \$2,542,900 to \$2,570,280. The House Appropriations Committee in its report recommended the repeal of certain statutory provisions requiring the maintenance of branch offices of clerks of court in a number of locations in which the volume of business handled is comparatively small and the abolition of the positions of deputy clerks in these offices (Rept. No. 346, p. 13). A proviso to carry out the recommendation was included in the bill as reported by the committee (p. 55, line 20, p. 56, line 11, of the bill as reported to the House). The total salaries of the deputy clerks involved were found by the committee to be \$27,376. Computation shows that the committee deducted from the estimate, for the appropriation \$27,380 (which is a near round number) on this account.

In the consideration of the bill in the House the proviso was eliminated from the bill so that the provisions of law requiring the maintenance of the branch offices of clerks referred to are unchanged. But the House did not restore the round sum of \$27,380 needed for payment of the salaries of the deputy clerks. It is necessary that this amount be added to the appropriation for clerks' salaries as passed by the House in order to avoid serious injury to the service.

2. I would ask that the amount of the appropriation for miscellaneous expenses (p. 59, line 22, of the bill as reported to the House) be increased from \$390,000 to \$391,000. This item of increase is of the same nature as the item of clerks' salaries above explained. The House Appropriations Committee deducted from

the estimate for the appropriation this sum which it estimated as the expense other than salaries entailed in the maintenance of the branch offices of clerks referred to. The House did not restore the sum to the appropriation although it eliminated the proviso abolishing the positions involved. It is necessary in order to maintain proper service that the sum of \$1,000 be added to the appropriation in the Senate.

I ask that the appropriation bill as passed by the House be changed in the respects indicated, and, if deemed by you necessary in this matter, I request a hearing before your honorable subcommittee on the two appropriations mentioned.

Respectfully submitted.

HENRY P. CHANDLER.

Senator TYDINGS. Is that clear to the committee? Do you desire to ask Mr. Chandler any questions?

ELIMINATION OF POSITION OF DEPUTY CLERKS OF UNITED STATES DISTRICT COURTS AT CERTAIN PLACES

Senator OVERTON. There is only one matter which occurs to me, Mr. Chandler. If that proviso to carry out the recommendation of the House committee, eliminated from the bill in the House, would be reinserted as an amendment by the Senate, then it would not be necessary to make the appropriation. We can do either one or the other.

Mr. CHANDLER. That is correct. As far as my office is concerned, it is immaterial either way.

Senator OVERTON. Had you recommended the elimination of those deputy clerks?

Mr. CHANDLER. Senator, I had not done so precisely. The chairman of the subcommittee of the House Appropriations Committee asked me whether I would not submit a recommendation on that point. I replied—and my reply will be found in the proceedings of the House—that the question of abolishing those offices is really a question of policy on which I should not be authorized to give a recommendation without consulting the Judicial Conference of Senior Circuit Judges.

I did supply a list of the branch offices of the district court clerks, the amount of business of which was below a line which I drew. Then the recommendation that those offices be abolished was the recommendation of the House Appropriations Committee.

Senator TYDINGS. They went below the line in abolishing them?

Mr. CHANDLER. That is right.

EFFECT OF SENATE ACTION IF SIMILAR TO THAT OF HOUSE

Senator TYDINGS. Suppose we take action similar to that taken by the House, and do not restore that part of the appropriation, will the service be materially or seriously affected by leaving out that appropriation?

Mr. CHANDLER. That would depend, Senator, on whether it is considered important that offices should be maintained at certain points where the amount of business is comparatively small, for the convenience of the public, for those persons who may occasionally bring cases to be filed or who may desire information.

EFFECT OF CLOSING SOME OF THE BRANCH OFFICES

I will say this, that it has been brought to my attention, since this proposal was made in the House, by letters from a number of different States, that there would be some inconvenience to the public from closing some of the branch offices in question. I am not in a position to state how serious that would be. Undoubtedly there would be some inconvenience. One has to weigh, on the one hand, the public service, with, on the other hand, the cost at which it is being rendered. It is a pretty high cost, under present conditions.

Senator TYDINGS. I think that is a pretty fair answer. If there are no other questions on this phase, I have a question or two on another phase which I would like to bring to the attention of the committee.

NEED FOR RESTORING APPROPRIATION

Senator BURTON. But if we do not restore this \$27,380, then there will be no place where you can get the money to take care of these branch offices?

Mr. CHANDLER. That is correct.

Senator BURTON. Therefore, if we do not restore it, we should insert this proviso repealing the provisions of law which require that these branch offices be maintained?

Mr. CHANDLER. That is right. If you do not restore the amount of money involved, and yet retain the present provisions for maintenance of the offices, it inevitably means we shall have to take money out of some other part of the service—and there really isn't any margin to get it from. It would mean that the service would be impaired.

Senator BURTON. It would handicap some definitely necessary work?

Mr. CHANDLER. That is right.

(A discussion followed off the record.)

DEFERMENT FROM MILITARY SERVICE

Senator MAYBANK. Mr. Chandler, in connection with draft deferments, what has been the policy of your organization? I would like to know, as a matter of curiosity.

Mr. CHANDLER. I am very glad to answer that question. The question was asked me when I was before the House committee.

Senator MAYBANK. Since then, this new Executive order has taken effect.

Mr. CHANDLER. The recent statute in reference to requests for occupational deferments of Government employees has taken effect, and the Chief Justice has appointed a committee consisting of the United States Court of Appeals for the District of Columbia, Circuit Judge Goodrich, of the third circuit, and District Judge Coleman, of Maryland, to take charge of requests for deferment of court employees under the act.

There has been one request for occupational deferment of a member of the staff of our office; that is Mr. Whitehurst, the Assistant Director whose deferment was requested by the Chief Justice.

Senator MAYBANK. How about the parole officers? Do you ask the local boards to defer them?

Mr. CHANDLER. That is something the committee is considering at the present time, sir.

Senator MAYBANK. But, so far, you haven't?

Mr. CHANDLER. No; no requests for deferment have been made since the passage of that act, and none was made by men before then.

You realize that every court, until April 8—which I think was the date—had power to ask for deferment. We wrote to all the courts to inquire what had been done, and as far as we can ascertain, there are not, among employees of the courts, more than five or ten deferments in the entire country at the present time.

Senator MAYBANK. I am glad to hear that.

(A discussion followed off the record.)

REDUCTION IN NEW LAW CLERKS FOR DISTRICT JUDGES

Senator BURTON. I want to bring up for a moment this discussion that appears in the report of the House committee on page 15 dealing with the new clerks to judges of the district courts. It says [reading]:

A committee of judges appeared before the subcommittee and stated that a further survey of the situation prompted them to suggest reduction of the number of new clerks to be provided for 1944 to 50 instead of the 81 included in the estimate.

As I understand it, they originally felt there was a need for 81, which was reduced to 50; and this reduces it further to 25. Is that right?

Mr. CHANDLER. That is right—and that is carried in the bill as it is before you, and we recommend that it stand.

Senator BURTON. Thank you.

LETTER FROM JUDGE MERRILL E. OTIS ON COURT AT CHILLICOTHE, MO.

Senator TYDINGS. Mr. Chandler, I have here a letter from District Judge Merrill E. Otis, of Kansas City, Mo. He mentions the court will no longer be held, under the House provision, at Chillicothe, Mo. He says no one was consulted about the proposal.

Of course, we know how it happened; but whether the court will or will not meet there again will depend upon the action we take here, won't it?

Mr. CHANDLER. Judge Otis is in error in that. Judge Collet, of Missouri, had the same idea.

Senator TYDINGS. Then if he is in error, don't tell us about it; but won't you do this: Write Judge Otis and say the chairman of the committee brought it to your attention, and set him right on it.

Mr. CHANDLER. I will do that.

Senator TYDINGS. It is an administrative matter, and if he is in error, you can straighten him out and there is no need for us to go into the matter in connection with an appropriation bill.

Mr. CHANDLER. Yes, sir.

COMPENSATION OF SECRETARIES AND LAW CLERKS TO CIRCUIT AND DISTRICT JUDGES

Senator MAYBANK. Mr. Chairman, at the request of Senator Lucas, I introduced the amendment which was referred to you. I would like to have Mr. Chandler explain it, if he will.

Mr. CHANDLER. I haven't seen this amendment. May I read it aloud?

Senator MAYBANK. Certainly.

TEXT OF PROPOSED AMENDMENT

Mr. CHANDLER. The amendment says (reading) :

On page 58, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following: "provided for, \$1,137.100: *Provided*, That the compensation of secretaries and law clerks to circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of the secretaries, exclusive of temporary additional compensation, and exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall correspond with those of the assistant administrative grade (grade 7 of clerical, administrative, and fiscal service) and their basic salaries shall be adjusted by the Director as of July 1, 1943, so that they are given credit for one rate of \$100 in grade 7 for each eighteen months' prior service as secretary to any Federal judge or other United States Government official: *Provided further*, That the annual basic compensation of the secretary to a circuit or district judge shall not (exclusive of temporary additional compensation) exceed \$3,200: *And provided further*, That the salaries of law clerks shall correspond with those of the assistant professional grade.

Senator OVERTON. Has this statement been called to your attention before?

Mr. CHANDLER. This is the first time I have seen it.

EXPLANATION OF PROPOSED AMENDMENT

Senator OVERTON. I have in my possession—and I don't know whether Senator Maybank has it or not—a short statement in explanation of the amendment, which I will read to you. It may help you.

Mr. CHANDLER. Surely.

Senator OVERTON. First, the amendment removes the discrimination of the secretaries of district judges by placing them in the same category with the secretaries to the circuit judges, and places both the secretaries of the circuit and district judges in a grade 7 classification with rates of compensation from \$2,600 in periodical adjustments for each 18 months' service to \$3,200. The pending bill, H. R. 2409, limits the salaries of secretaries to district judges to \$2,600 per annum (grade 5 senior clerical) and leaves out the limitation as to the secretaries of the circuit judges.

Second, it classifies law clerks to judges (both circuit and district) to assistant professional grades with rates of compensation from \$2,600 to \$3,200. (Salaries are now limited by sec. 222 (a), title 28, U. S. C. A., to \$3,000.)

Third, it deletes the provision that where a law clerk is needed by a district judge it is necessary that the senior circuit judge must certify to the necessity of the appointment. (This proviso places a district judge under obligation to a senior circuit judge, and it is not desirable

that any judge should be under obligation to anyone, even another judge.)

Fourth, it increases the appropriation from \$987,100 to \$1,137,100, or about \$150,000, to take care of any increases provided by the amendment.

That is a brief statement of it. I have in my possession, Mr. Chairman, a detailed explanation of some two and a half pages, which I have not yet read, which I would like to have inserted in the record.

Senator TYDING. Without objection, it will be inserted in the record. (The memorandum referred to follows:)

MEMORANDUM RE PROPOSED AMENDMENT TO H. R. 2409

AN ACT Making appropriation * * * for the judiciary for the fiscal year ending June 30, 1944, at page 58

As passed by the House, H. R. 2409 now limits the salaries of secretaries to district judges to \$2,600 per annum (grade 5, senior clerical) and the salaries of law clerks to district judges to \$2,900 (grade 7, principal subprofessional). The direct limitation on the salaries of circuit judges' secretaries and law clerks, which for many years existed in the appropriation acts, was removed from last year's appropriation act, and does not appear in the present H. R. 2409.

Generally speaking, the proposed amendment accomplishes the following purposes:

1. Places a direct limitation on the salaries of circuit judges' secretaries and law clerks, as well as on district judges' employees. Circuit judges' employees have no different or greater duties or responsibilities than district judges' employees, and there should be no discrimination shown against district judges' employees by limiting their salaries in the appropriation act, and withdrawing the limitation as to the circuit judges' employees. The limitation should be upon both classes of employees, or upon neither class. To insure promotions and fair distribution of the appropriation to both classes, the act should carry a limitation upon both classes.

2. Promotes secretaries to judges (both circuit and district) to a grade 7 classification, with rates of compensation from \$2,600 to \$3,200, and adjusts the salaries of those secretaries in service on July 1, 1943 (the effective date of the act), so that they will be given credit for prior service as secretaries to judges or other Government officials. Circuit judges' secretaries are now in grade 6, and district judges' secretaries in grade 5.

Following are some of the reasons why promotion in grade classification should at this time be given the secretaries:

- (a) District judges' secretaries have had no promotion in classification since 1928, and many of these employees, by reason of length of service, have reached the maximum salary rate in the grade in which they are now classified (that is \$2,600) and unless they are reclassified they will be deprived for another year (as they have been during the past year) of the benefit of the promotional system, which all other Government employees enjoy, of one rate increase every 18 months.

- (b) Taking into consideration the importance, difficulty, responsibility, and value of the work these employees are required to perform, they are entitled to a grade 7 classification. They must not only be trained and experienced legal stenographers, in order that they make take in shorthand and type legal opinions, findings of fact, conclusions of law, instructions to juries, and other legal papers, as well as take testimony in court when called upon, but they must also have a knowledge of court procedure and practices, as well as some knowledge of law, in order that they may relieve the judges of such details as looking up statutes and cases; examining court records; writing forms of verdicts; drafting certain types of orders; preparing calls of cases; hearing and passing upon (within limits prescribed by judges) excuses of prospective advisement; keeping inventories of law books; and answering questions of lawyers, Government officers and their assistants, and the public generally. Some of these secretaries are also lawyers, and look up law, read briefs, write memoranda for judges' use, draft instructions to juries, etc. (See attached job analysis.)

- (c) The secretaries to the judges may be called permanent employees, as many of them have been in their present positions as long as the judges by whom

they are appointed, and some have served under other judges or other Government officials.

(d) The present classification of these employees is lower than other Government employees doing similar work. Secretaries to United States district attorneys in the larger cities, to the Director of the Administrative Office of the United States Courts, and the Assistant Attorneys General are classified in grade 7 and receive \$3,200 per annum. H. R. 2409 indicates that each Senator is allowed a \$3,900 clerk, a \$2,400 assistant clerk, and a \$2,200 assistant clerk.

(e) These employees for the most part live in metropolitan communities of considerable size, where the cost of living normally is high and where there have recently been great increases in living expenses.

(f) None of these employees has had any substantial increase in basic salary in recent years. Within the past 10 years most of these employees have not received more than a \$400 increase in annual basic compensation, and few of them more than \$200.

3. Promotes classification of law clerks to judges (both circuit and district) to assistant professional grade with rates of compensation from \$2,600 to \$3,200. (Salaries of these employees is now limited to \$3,000 by reason of the provisions of sec. 222a, title 28, U. S. C. A.) H. R. 2409 now provides that law clerks to district judges are classified in principal subprofessional grade, with rates of compensation from \$2,300 to \$2,900.

4. On page 58, H. R. 2409, strike out the figure "\$987,100" and insert in lieu thereof the figure "\$1,137,100." This represents an increase of an even \$150,000, which should approximately cover the promotions suggested by the amendment. Mr. Chandler, the Director would be able to furnish a definite estimate of this amount.

5. Deletes the following proviso: "*Provided, however.* That none of this fund shall be used for the pay of a law clerk appointed by the district judge unless the senior circuit judge of the circuit (the District of Columbia being considered a circuit) in which the district where the clerk is needed is situated shall certify to the necessity of the appointment." This proviso places a district judge under obligation to a senior circuit judge, and it is not desirable that any judge be under obligation to anyone, even another judge.

House Report No. 346, pertaining to H. R. 2409, at page 15, reads:

"The committee of judges informed the committee that they are undertaking a complete study of the problem of staffing judges' offices with a view to making a recommendation to the Congress at as early date as practicable, looking toward proper clerical service * * *. The committee of judges * * * it is expected will report to Congress before the Budget for 1945 is considered * * *."

"In view of the fact that the whole problem is being studied and the Congress will be given an opportunity to consider the over-all picture within the near future, the committee has eliminated the funds for reclassification of salaries, pending action on the final proposal to be presented," etc.

Since the Administration of the United States Courts' Act became effective in 1939, the Conference of Senior Circuit Judges has not succeeded in bringing about a reclassification of secretaries and law clerks to district judges, although the conference has secured some minor classification promotions for circuit judges' employees. If H. R. 2409 is adopted in the form in which it passed the House, the inequities which have existed, and which are by the bill in its present form magnified, will be perpetuated at least until 1945. In the meantime district judges' employees will not receive even the customary rate promotions which other Government employees receive every 18 months.

It is therefore urged that the matter of promotions in classification of the judges' employees should not be delayed until 1945, as suggested in the House report, but should be provided for by the 1944 act.

LETTER FROM JUDGE JOHN BIGGS, JR., ON SALARIES OF LAW CLERKS,
SECRETARIES, AND OTHER PERSONNEL OF COURTS

Senator TYDINGS. I have just been handed another letter, from Judge Biggs of the Circuit Court of Appeals for the Third Circuit. It is quite short; so I will read the letter. [Reading:]

MY DEAR SENATOR TYDINGS: I have just been informed by Mr. Henry P. Chandler, Director of the Administrative Office of the United States Courts, that there will be a hearing before the Senate Subcommittee on Appropriations for

the courts and the legislative branch tomorrow morning, Wednesday, May 5.

A committee, of which I am chairman, appointed by Mr. Chief Justice Stone to consider and report to the Conference of Senior Circuit Judges in respect to the salaries of law clerks, secretaries, and other personnel of the courts, met last week in Washington. It is the recommendation of this committee that the sum of \$27,380 stricken from the appropriation for clerks' salaries by the House Committee on Appropriations be restored in the Senate.

The sum stricken represents salaries of the personnel employed in the branch offices of clerks of district courts which the House Appropriations Committee recommended be discontinued, but which the House voted should continue to be maintained.

Unless the sum is restored by the Senate, it will be necessary to take it out of the provisions for other personnel of the clerks' offices, with resultant injury to the service.

Respectfully,

JOHN BIGGS, Jr

Senator OVERTON. That is on another subject.

I wonder if you would be in a position now to express an opinion as to the amendment.

Senator TYDINGS. Go ahead and tell us whether you think it is good or bad.

QUESTIONS OF POLICY DECIDED BY JUDICIAL CONFERENCE OF SENIOR CIRCUIT JUDGES

Mr. CHANDLER. Again, Mr. Chairman and gentlemen of the committee, I should point out I am not authorized to express opinions on question of policy, without consulting with the Judicial Conference of Senior Circuit Judges. I can give you certain facts. The conference last fall at its annual meeting, gave considerable time to the matter of salaries of supporting personnel of the courts. The conference is of the opinion that the present salary scales of law clerks and secretaries to judges, and certain other personnel, are really inadequate and not in keeping with the present demands upon them.

RECOMMENDATIONS OF CONFERENCE

The conference took two steps at that meeting. In the first place it authorized the appointment of a committee, by the Chief Justice, to make a thorough study of the whole matter and report to the next meeting of the conference, which will be held next fall. That is the committee of which Judge Biggs is chairman.

SALARIES OF LAW CLERKS AND SECRETARIES

Secondly, as to law clerks and secretaries, referred to in this amendment, the conference recommended that the scale be raised for secretaries to both circuit and district judges to a sum of \$2,300 to \$2,900 a year. I think that is called the "principal" clerical grade, one grade below the grade recommended in this memorandum.

It also recommended that the salaries of law clerks to judges be set within a range of \$2,600 to \$3,000 a year, in comparison with the present range of \$2,300 to \$2,900 per annum. Both of those recommendations were presented and developed before the House Appropriations Committee. The House committee took the position with which you are familiar, that it did not deem it wise to make any change

in the present scales, pending the completion of the study by the conference committee.

JUDICIAL CONFERENCE FAVORS INCREASE IN SALARIES

I have no hesitation in saying to you generally that the conference is not only sympathetic but is desirous of an increase in the scales of salaries of law clerks and secretaries to judges. Whether they would approve these specific amounts prescribed in the amendment is something I can't say.

EFFECT OF PROPOSED AMENDMENT

Senator OVERTON. As I understand it, the purpose of this amendment is to put the law clerks and the secretaries of district judges on the same basis, as to pay, as the secretaries and law clerks of the circuit judges.

Mr. CHANDLER. Yes, sir; that is right.

Senator OVERTON. Also, that the district judge does not have to obtain a certificate from the circuit judge as to whom he shall employ.

Mr. CHANDLER. On the first point, of course the amendment will not only put the secretaries to both types of judges on the same plane but it will materially raise the present scales of compensation of both. As far as putting them on the same plane is concerned, the recommendation presented to the House Appropriations Committee was that the salary of secretaries to both types of judges be put within the same range; and that applied also to law clerks. So that the latest action of the judicial conference is certainly in accordance with the elimination of any differences between the treatment of secretaries to the two types of judges.

AMENDMENT IS IN ACCORD WITH RECOMMENDATIONS OF JUDICIAL CONFERENCE

Senator OVERTON. And this amendment is in line with the recommendations made by the judicial conference?

Mr. CHANDLER. It is in line, and goes immediately further. I think the ultimate recommendation of the judicial conference may go further yet; but that will be a matter for the future, when the committee makes its report.

Senator BURTON. Isn't this that same matter referred to in the report of the House, where it is suggested that a particular amount of money be made available to the judge and the judge divide it up the way he thinks best among his clerks, as we do in Congress here?

Mr. CHANDLER. That is right. That is something for study.

EXTRACT FROM HOUSE REPORT

Senator BURTON. May I ask you if these two paragraphs of the report do not apply to the situation [reading]?

The committee of judges informed the committee that they are undertaking a complete study of the problem of staffing judges' offices with a view to making a recommendation to the Congress at as early a date as practicable, looking toward proper clerical service. It appears that there is a wide diversity of

opinion among judges as to what employees should be allowed and what salaries should be paid. It was suggested to the committee of judges that they give consideration to a proposal which would allow to each judge, for office staff, a fixed sum of money within the limitations of which he could fix the salaries. Such a plan would be similar to that now in use to provide clerical assistants to Members of the House of Representatives. The committee of judges is taking this matter under advisement, and it is expected they will report to Congress, before the Budget for 1945 is considered, a concrete recommendation supported by the preponderance of opinion in the judiciary.

In view of the fact that the whole problem is being studied and the Congress will be given an opportunity to consider the over-all picture within the near future, the committee has eliminated the funds for reclassification of salaries pending action on the final proposal to be presented and has reduced the number of additional law clerks to 25, which number will supply the most urgent requirements.

Doesn't that relate to this general subject matter?

Mr. CHANDLER. It does; it relates to this very matter.

Senator OVERTON. I beg your pardon, but I don't believe it does. This doesn't provide for a lump sum to be distributed by the judges as they see fit; but, on the contrary, it relates to the specific amounts to be paid.

Mr. CHANDLER. I meant it related to the same general subject matter.

Senator BURTON. They thought they should study the whole matter and bring back a report for the budget for 1945.

Senator OVERTON. That is as to the lump sum, is it not?

Senator BURTON. That is one matter under consideration—and they don't recommend anything except that they wait a year.

HOUSE REJECTED RECOMMENDATIONS FOR SPECIFIC INCREASES

Mr. CHANDLER. That is right. The House did reject the recommendations for specific increases in the scales of compensation, pending the completion of the studies by the committee.

If I may answer the question in reference to the need for the certificate of necessity for a law clerk for a district judge, by the senior circuit judge of the circuit, the reason is that the appropriation has never been sufficient to provide for a law clerk for every district judge.

PRESENT SITUATION CONCERNING NUMBER OF LAW CLERKS

At the present time, under the present act, there may be 3 law clerks for district judges for each circuit, making a total of 33 for the country, counting the District of Columbia as a circuit, which it is for practical purposes. The House made provision for 25 more law clerks, which would make possible a total of 58 law clerks for district judges.

QUESTION AS TO PROPER ALLOCATION OF FUNDS FOR LAW CLERKS

There are, roughly, 185 district judges in the country. Therefore, it is necessary, as a practical matter, that there be some method for the allocation of that money and the selection by the district judges who are to have the law clerks. The method that has been followed, up to the present time, is a certificate of necessity from the senior circuit judge. And that, I might say, will have to be subject, as a practical matter, to a final review by the judicial conference of senior circuit

judges, in order that the number of law clerks may be kept within the limits of the appropriation.

I don't know what this sum provided for in the amendment, namely, \$1,137,100, would cover—how many law clerks for district judges. But unless a law clerk is provided for every district judge, it will be essential, you can see, from the standpoint of administration, that some method be devised for determining to whom those law clerks should go.

Senator TYDINGS. I think we have the matter pretty well in hand. Are there any other questions? If not, we thank you, Mr. Chandler.

ARCHITECT OF THE CAPITOL

STATEMENT OF DAVID LYNN, ARCHITECT OF THE CAPITOL, ACCOMPANIED BY CHARLES A. HENLOCK, ADMINISTRATIVE OFFICER, AND JOHN J. KEARNEY, CUSTODIAN, SENATE OFFICE BUILDING

SENATE RESTAURANTS

Senator TYDINGS. Mr. Lynn, we would like to have your recommendations on the items in the bill before us.

Mr. LYNN. Mr. Chairman, if there is no objection, I would like to read the letter which I addressed to you under date of April 12, 1943.

Senator TYDINGS. You may, or you can put it in the record and talk in addition—whatever you wish to do.

Mr. LYNN. I would rather read it, as it states clearly and briefly the changes desired to be made in H. R. 2409.

Senator TYDINGS. Very well.

Mr. LYNN. The letter reads as follows:

Hon. M. E. TYDINGS,

*Chairman, Subcommittee in Charge of the Legislative
and the Judiciary Appropriation Bill,
United States Senate.*

MY DEAR MR. CHAIRMAN: In reply to your letter of April 7, 1943, it is respectfully requested that the following changes be made in H. R. 2409, Seventy-eighth Congress, "Legislative and Judiciary Appropriation Act, 1944," as passed by the House of Representatives April 8, 1943, in connection with items of expenditure under the Architect of the Capitol:

SENATE RESTAURANTS

Page 13, lines 3 to 8, inclusive: Strike out lines 3 to 8, inclusive, on page 13 of H. R. 2409 and insert in lieu thereof the following new language:

"Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1943 (Public Law 709, Seventy-seventh Congress), \$35,000."

This change is necessary in order to conform to the provisions of the above-cited act of September 9, 1942, which transferred the Senate Restaurants, effective September 15, 1942, from the jurisdiction of the Senate Committee on Rules to the jurisdiction of the Architect of the Capitol, and provided that thereafter, until otherwise ordered, all expenditures for the restaurants shall be made under the direction of the Architect of the Capitol.

This act further provides that—

Any amounts hereafter appropriated from the Treasury of the United States for such restaurants shall be a part of the appropriation "Contingent Expenses of the

Senate," for the particular fiscal year involved and each such part shall be paid to the Architect of the Capitol by the Secretary of the Senate in such sums as such appropriation or appropriations shall hereafter specify * * *.

In order to conform to the requirements of this act, at the recommendation of the Senate Committee on Appropriations, similar language as asked to be included in H. R. 2409 was included in Public Law 763, Seventy-seventh Congress, approved October 26, 1942, providing a supplemental appropriation for the Senate restaurants for the fiscal year 1943. This was the first time that an appropriation was provided for the restaurants since the enactment of the act of September 9, 1942, and, accordingly, the first time that there was a necessity for changing the language in connection with the Senate restaurants from the language now carried in H. R. 2409 to the substitute language herein proposed.

SENATE RESTAURANTS

Mr. Chairman, I have prepared a statement in connection with the Senate restaurants which I would like to present at this point.

Senator TYDINGS. What does it cover, generally?

Mr. LYNN. It covers the general activities of the restaurants.

APPROPRIATIONS FOR SENATE RESTAURANTS, 1938-43

Senator TYDINGS. Rather than read it, why wouldn't it be appropriate to insert it in the record—unless the committee would like to hear it—and just read here the part on page 3 showing the history of the restaurants? In other words, in 1938 the restaurants cost \$77,300, and there had to be both a supplemental and a deficiency appropriation to make ends meet.

In 1939 the cost was \$50,000, and there had to be a deficiency appropriation of \$15,000 to make up the sum.

In 1940 the cost was \$58,700, and we had to have a deficiency appropriation of \$23,700.

In 1941 it cost \$75,000, and we had to have two deficiency appropriations, totaling \$40,000, to make the amount.

The regular annual appropriation for 1942 was \$35,000, as usual, and we had to have a further sum to make up the total.

Mr. LYNN. However, there wasn't a deficiency appropriation, Senator.

Senator TYDINGS. There was no deficiency; but \$18,435 was received from the bonding companies. So that while we didn't pay it, there actually had to come from the outside the sum of some \$18,000 to make up the amount.

Mr. LYNN. That is correct.

Senator TYDINGS. In 1943, we had to have a little larger sum than usual, because of the period of conversion from one system to another. The regular appropriation was \$35,000, the supplemental appropriation was \$20,000; and then to convert the restaurant in the Senate Office Building into a cafeteria, there was a further sum of \$19,950—making a total of \$74,950, of which total, the amount for operation in 1943 was \$55,000.

Mr. LYNN. Yes, sir.

Senator TYDINGS. Having those figures in mind, Mr. Lynn, I notice you have given us a historical account of the situation, and if you

care to comment on it, we would be glad to have it; but we would like it to be as condensed as you could make it.

Mr. LYNN. Mr. Chairman, I would like the committee to refer to another table which will be found on page 5.

OPERATING LOSSES OF SENATE RESTAURANTS

Senator TYDINGS. On page 5 is a statement showing operating loss for the first 8 months of the fiscal year 1943, from July 1, 1942, to March 1, 1943. Under the Senate Committee on Rules for two and a half months, before the change was effected, there was \$14,981 as the cost of running the restaurant.

Under the Architect of the Capitol, after the transfer was made, commencing September 16, 1942, to October 31, 1942, a period of one and a half months, the cost of the restaurant was \$8,586. For the next month, it was \$5,552. For December, it was \$3,503. For January, it was \$2,882, and for February it was \$2,596—making a total cost for the five and a half months after it was placed under the Architect of the Capitol, of \$23,119, or a grand total, both under the Committee on Rules and the Architect of the Capitol, of \$38,100, for the period of 8 months.

Senator OVERTON. Are those costs or operating losses?

Mr. LYNN. These are operating losses.

Senator TYDINGS. These are all operating losses?

Mr. LYNN. Yes, sir.

Senator TYDINGS. The average operating loss per month, for the 8 months from July 1, 1942, to March 1, 1943, was \$4,763.

LOSSES BEING REDUCED EACH MONTH

Mr. LYNN. Mr. Chairman, since preparing the statement you have before you, we now have available figures for the month of March 1943, and I am glad to be able to tell you that the loss for that month was further reduced to \$1,914.

Senator TYDINGS. So you are reducing it each month?

Mr. LYNN. Yes, sir. Moreover, nearly \$600 of the loss for March was due to the cost of meeting the 10 percent additional compensation authorized by Public, 821, Seventy-seventh Congress. Without that additional expenditure, the loss would have been about \$1,300. Of course, many factors affect the amount of the operating loss over any 12-month period—such as 3-day recesses of Congress, and so forth, which increase the loss—so that low operating losses can by no means be definitely counted upon.

Senator OVERTON. What do you estimate the operating loss will be for this fiscal year?

Mr. LYNN. \$50,700. However, in addition to the \$55,000 that has been appropriated to date for operation, an additional amount of \$10,000 is carried in the pending deficiency bill, H. J. Res. 115, which will make the total appropriations for 1943 for operation, \$65,000. Although we estimate that the operating loss for 1943 will amount to about \$50,700, it has been necessary to request a total of \$65,000, because nearly \$14,300 worth of 1942 unpaid bills were carried over into 1943 and had to be paid out of 1943 funds.

Senator TYDINGS. Will it be possible, as a result of the transfer, to cut down that operating loss?

Mr. LYNN. When the cafeteria is placed in operation in the Senate Office Building, we hope to be able to cut the loss to some extent.

Senator TYDINGS. But you won't cut it on the Senate side of the Capitol here?

Mr. LYNN. No, sir.

Senator TYDINGS. That can't be cut?

Mr. LYNN. No, sir; we established a cafeteria in the New House Office Building, and that operation is netting us a profit of around \$500 a month. So I hope we will be able to repeat that experience with the Senate Office Building cafeteria.

(The statement referred to follows:)

UNITED STATES SENATE RESTAURANTS

Under the provisions of Public Law 709, Seventy-seventh Congress, approved September 9, 1942, the United States Senate restaurants in the Capitol and Senate Office Building were transferred from under the direction of the Senate Committee on Rules to the direction of the Architect of the Capitol, effective September 15, 1942.

Under the terms of this act, briefly stated, the Architect is now charged with the management of the Senate restaurants, subject to the approval of the Senate Committee on Rules as to matters of general policy. The receipts from operation, together with amounts appropriated by Congress for the restaurants, are placed in a special deposit account in the Treasury and disbursements are made from that account. Appropriations for the restaurants are to be provided as a part of the appropriation "Contingent expenses of the Senate" and are to be paid to the Architect by the Secretary of the Senate in the amounts specified by Congress. The restaurant accounts are subject to audit by the General Accounting Office.

At the request of the chairman of the Senate Committee on Rules, the Comptroller General had an audit made of the restaurant accounts covering the period April 28, 1941, to September 15, 1942, during which the restaurants were operated under the Senate Committee on Rules, thereby completing the audit of the restaurant operations while under the management of the committee.

Since the management has been placed under the Architect of the Capitol, a major change in operation has been authorized. At the direction of the Senate Committee on Rules, the Architect requested an appropriation of Congress last October to convert the restaurant in the Senate Office Building into a cafeteria.

Funds for this purpose were granted by Congress in the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942; \$19,950 being allowed for new equipment under an appropriation provided for the restaurants, and \$7,300 for electrical, plumbing, steam, and exhaust changes, and other miscellaneous structural and mechanical work under an appropriation provided for maintenance of the Senate Office Building. Bids for the equipment have been invited and received, and contracts for the equipment are expected to be awarded shortly. The structural and mechanical work will also be commenced in the near future.

A major factor affecting operating costs has arisen since the Architect has taken over management of the restaurants, due to the authorization by Congress, since last December, of a 10-percent pay increase for all restaurant employees, under the provisions of the act of December 22, 1942, providing 10 percent additional compensation for all legislative employees. This authorization has increased the pay-roll costs by approximately \$600 a month, or approximately \$7,000 a year; and under the provisions of the pay legislation now pending for legislative employees, the cost is expected to increase to over \$15,000 a year.

For 1944, an appropriation of \$35,000 is requested to be provided in the 1944 Legislative Appropriation Act. This is the same amount that has been provided in the annual appropriation acts for the past several years.

In addition to this amount, it has generally been necessary in the past to obtain additional appropriations to meet deficiencies in operating costs. A deficiency appropriation will also be necessary for 1944, particularly in view of the increased pay-roll costs.

The appropriations for the fiscal years 1938 to 1943, inclusive, have been as follows:

1938—Regular annual appropriation.....	\$35,000	
Supplemental appropriation.....	12,300	
Deficiency appropriation.....	30,000	
Total, 1938.....		\$77,300
1939—Regular annual appropriation.....	\$35,000	
Deficiency appropriation.....	15,000	
Total, 1939.....		50,000
1940—Regular annual appropriation.....	\$35,000	
Deficiency appropriation.....	23,700	
Total, 1940.....		58,700
1941—Regular annual appropriation.....	\$35,000	
Supplemental appropriation.....	15,000	
Deficiency appropriation.....	25,000	
Total, 1941.....		75,000
1942—Regular annual appropriation.....		35,000
No deficiency appropriation was provided for 1942, as		
\$18,435 was received from bonding companies; making		
the total available for 1942, \$53,435.....		
1943—Regular annual appropriation.....	\$35,000	(18,435)
Supplemental appropriation:		
Deficiency for operating costs.....	20,000	
To convert restaurant in Senate Office Building into		
a cafeteria.....	19,950	
Total.....	74,950	
Total, 1943, for operation.....		55,000

For the fiscal year 1942, the expenses exceeded the receipts by \$53,036. However, as a great many 1941 bills had to be paid in 1942, it was, in turn, necessary to carry over into the fiscal year 1943 from 1942, unpaid bills totaling \$14,261; as at the end of the fiscal year 1942, there were outstanding bills totaling \$21,210 and only \$6,948 left to cover the same.

Therefore, on July 1, 1942, there was outstanding against the appropriation of \$25,000 provided for the fiscal year 1943, the deficiency of \$14,261 forwarded from 1942; so that the amount actually available July 1, 1942, for meeting operating expenses in 1943 was only \$20,739.

This amount was increased to \$40,739 by the supplemental appropriation of \$20,000 provided for operation, October 26, 1942, in Public Law 763, Seventy-seventh Congress.

For the 8-month period July 1, 1942, to March 1, 1943, the expenses have exceeded the receipts from operation by \$38,100. This excess expenditure has been met through the amount of \$10,739 available under the appropriations, leaving a balance of \$2,639 available to meet expenses in excess of receipts from operation for the remaining 4 months of the fiscal year 1943—March 1, 1943, to June 30, 1943—expected to amount to about \$12,000. A deficiency appropriation of \$10,000 will be necessary to carry the restaurants through June 30, 1943, and an appropriation in that amount has been requested and included in H. J. Res. 115, Seventy-eighth Congress.

At the present time, it is therefore anticipated that the expenses for the full fiscal year 1943 will exceed the receipts from operation by approximately \$50,700—or an average of a little over \$4,200 per month. Approximately \$5,800 of this excess cost is due to the additional compensation authorized by Congress for the restaurant employees.

The following statement shows the operating loss for the first 8 months of the fiscal year 1943—July 1, 1942 to March 1, 1943:

Under the Senate Committee on Rules:

July 1-31, 1942.....	\$6,275
August 1-31, 1942.....	5,848
Sept. 1-15, 1942 (½ month).....	2,858
Total, 2½ months.....	<u>14,981</u>

Under the Architect of the Capitol:

Sept. 16, 1942, to Oct. 31, 1942 (1½ months).....	8,586
Nov. 1-30, 1942.....	5,552
Dec. 1-31, 1942.....	3,503
Jan. 1-31, 1943.....	2,882
Feb. 1-28, 1943.....	2,595
Total, 5½ months.....	<u>23,119</u>

Grand total, 8 months.....\$8,100

Average operating loss per month for 8-month period July 1, 1942, to Mar. 1, 1943.....4,763

AMENDMENT TO CONTINUE AVAILABLE FUNDS FOR CONVERTING SENATE OFFICE BUILDING RESTAURANT INTO A CAFETERIA

Senator TYDINGS. It has just been called to my attention that on page 33, line 10, after the amount "\$313,560" and before the period, it is requested that a comma be inserted and the following new language added:

Provided, That the unexpended balance on June 30, 1943, of the appropriation of \$7,300 for the maintenance of the Senate Office Building, contained in the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942, shall continue available for the same purposes until June 30, 1944.

With that amendment you sent me a letter which I will read in part [reading]:

Since submitting those changes, it has developed that there will be further, unavoidable delay in carrying forward the work of converting the restaurant in the Senate Office Building into a cafeteria, with the result that part of the structural and mechanical work will have to be done in the fiscal year 1944.

That is the reason for adding the new language which I had just previously read?

Mr. LYNN. Yes, sir.

Senator TYDINGS. We will put that whole letter in the record, then.

(The letter referred to follows:)

ARCHITECT OF THE CAPITOL,
Washington, D. C., April 22, 1943.

HON. MILLARD E. TYDINGS,

Chairman, Legislative Subcommittee,

Committee on Appropriations, United States Senate.

MY DEAR MR. CHAIRMAN: Under date of April 12, 1943, in response to your letter of April 7, 1943, I submitted to you changes recommended to be made in items affecting the Architect of the Capitol, carried in the 1944 legislative branch appropriation bill, H. R. 2409, Seventy-eighth Congress, as passed by the House of Representatives, April 8, 1943.

Since submitting those changes, it has developed that there will be further unavoidable delay in carrying forward the work of converting the restaurant in the Senate Office Building into a cafeteria, with the result that part of the structural and mechanical work will have to be done in the fiscal year 1944.

As the amount of \$7,300 for the structural and mechanical work in connection with the establishment of the cafeteria was provided in the Second Supple-

mental National Defense Appropriation Act of 1943, approved October 26, 1942, as a supplement to the 1943 appropriation for the maintenance of the Senate Office Building, it is necessary to request that H. R. 2409 be further amended as follows:

Page 33, line 10: After the amount "\$313,560" and before the period, insert a comma and add the following new language:

"*Provided*, That the unexpended balance on June 30, 1943, of the appropriation of \$7,300 for the maintenance of the Senate Office Building, contained in the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942, shall continue available for the same purposes until June 30, 1944."

Respectfully,

DAVID LYNN,
Architect of the Capitol.

SENATE OFFICE BUILDING

AMOUNT OF PROPOSED REDUCTION IN APPROPRIATION

Mr. LYNN. On page 33, line 10, strike out the amount "\$313,560" and insert in lieu thereof the amount "\$306,955."

The amount requested for the maintenance of the Senate Office Building for the fiscal year 1944, as presented to Congress in the 1944 Budget estimates, totaled \$318,255.

The amount carried in H. R. 2409, Seventy-eighth Congress, as passed by the House, is \$313,560—the same amount as allowed for 1943—but a reduction of \$4,695 under the Budget estimate of \$318,255. In taking this action, the House Committee on Appropriations in its Report No. 346, April 6, 1943, accompanying the 1944 legislative and judiciary appropriation bill, stated [reading]:

SENATE OFFICE BUILDING: The amount recommended, \$313,560, is the total amount appropriated for 1943. The estimates included a small increase for 1944 but the committee has given no consideration to the proposed increase and has left it for initial action by the Senate.

REASON REDUCTION IN APPROPRIATION IS PROPOSED

The 1944 Budget estimates were prepared last fall and experience gained during the ensuing months indicates that a further reduction may be made in the 1944 estimate of appropriation for the maintenance of the Senate Office Building, particularly in view of present difficulties in procuring labor and materials.

Senator OVERTON. Is that your statement?

Mr. LYNN. Yes, sir.

Senator TYDINGS. You are advocating the reduction?

Mr. LYNN. Yes, sir.

Senator TYDINGS. I think we may pass over that. Due to subsequent studies, you are able to recommend that we cut that down?

Mr. LYNN. Yes, sir. In recommending a further reduction in this estimate, effort has been made to follow, insofar as practicable, the principles followed by the House Committee on Appropriations in making reductions in the other appropriation items under the Architect of the Capitol, contained in H. R. 2409.

As a result of recent studies, it is therefore recommended that in lieu of the appropriation of \$313,560 for the maintenance of the Senate Office Building now carried in H. R. 2409, there be appropriated the amount of \$306,955.

The amount of \$306,955 represents a reduction of \$6,605 under the amount of \$313,560 approved by the House, and a reduction of \$11,300

under the 1944 Budget estimate of \$318,255 as originally presented to Congress.

I have quite a complete statement for the committee, Senator, if you care to have it.

Senator TYDINGS. We will put that all into the record, showing how you have arrived at your figures.

(The statement referred to follows:)

MAINTENANCE, SENATE OFFICE BUILDING, 1944, REVISED ESTIMATE, \$306,955

For 1943 the appropriations for the maintenance of the Senate Office Building totaled \$313,560. The 1943 appropriation included two special nonrecurring items, totaling \$13,300—not repeated for 1944—made up of \$5,000 for pointing exterior stonework and \$7,300 for structural and mechanical work necessary in connection with converting the restaurant in the Senate Office Building into a cafeteria. After deducting these two nonrecurring items there remained as the annual base figure for 1944 the amount of \$300,260.

The only increases asked in the 1944 Budget were under the item of "Personal services." The increases totaled \$17,995, made up of \$2,324 to complete in 1944 the 1943 within-grade promotions authorized by the act of August 1, 1941; and \$15,671 to meet the legislative changes in salary ranges prescribed by the act of August 1, 1942.

This made the total appropriation requested for 1944 amount to \$318,255—a net increase over 1943 of \$4,695. The amount carried in the 1944 legislative branch appropriation bill, H. R. 2409, Seventy-eighth Congress, as approved by the House April 8, 1943, is \$313,560—the same as appropriated for 1943; the increases being left for consideration by the Senate.

Based on the experience of the first 9 months of the fiscal year 1943, it is felt that under present war conditions the 1944 Budget estimate of \$318,255, prepared last fall, may be further reduced below the House figure to \$305,955.

The following explanation is submitted in this connection:

In making cuts in other items under the Architect of the Capitol, the House Committee on Appropriations advised that any overtime pay or additional compensation authorized by Congress for legislative employees for the fiscal year 1944 would be provided for in a supplemental appropriation act; and that, therefore, the cuts in personal-service items for 1944 would be made on the basis of amounts actually required for the payment of regular base salaries, including the legislative changes in salary ranges prescribed by the act of August 1, 1942, and the within-grade promotions authorized by the act of August 1, 1941, obligated in 1943 and to be completed in 1944.

As in the case of the other appropriation items under the Architect, the 1944 estimate for the maintenance of the Senate Office Building does not include any amount for overtime pay or additional compensation and since this amount is to be provided for in a supplemental appropriation, anticipated salary lapse savings in the amount of \$5,000 can be deducted from the total salary increase of \$17,995 asked for 1944 thereby reducing the 1944 Budget estimate for personal services from \$266,655 to \$261,655.

Based on the experience of expenditures and difficulties in securing priorities for supplies, materials, and equipment for 1943, the item of elevator repairs can be reduced from \$2,000 to \$1,500; annual painting from \$10,000 to \$6,000; maintenance, air-conditioning system, from \$4,000 to \$3,000; supplies and materials from \$19,050 to \$17,000; equipment, including rugs and floor coverings, from \$7,400 to \$5,000; a total reduction for these five items of \$9,950.

Based on the experience of expenditures for 1943, it is necessary to increase the 1944 Budget estimate for laundry from \$3,600 to \$6,500 and for ice from \$1,250 to \$2,000—a total increase for these two items of \$3,650. No change is recommended in four other items, totaling \$4,300, which make up the rest of the estimate.

The \$5,000 reduction in the item of personal services plus the \$9,950 reduction in other items makes a total reduction of \$14,950, which is offset by the increase of \$3,650, making the net amount of the reduction recommended to be made in the 1944 Budget estimates, \$11,300, thereby reducing the total 1944 Budget estimate from \$318,255 to \$306,955.

Although the expenditures for the first 9 months of the fiscal year 1943 might appear to justify larger cuts, it is to be stressed that the expenditures for 1944

will necessarily be greater than the expenditures for 1943, due to the fact that many items for 1943 have been provided from reserve stock on hand, whereas such a reserve will not be available for 1944 as under the priorities system only a very small reserve stock may be carried at the time purchases are approved for supplies, materials, and equipment.

The following table shows in summary form the reduction and increases recommended to be made in 8 of the 12 items making up the 1944 Budget estimate of \$318,255:

8 items affected	From—	To—	Reduction	Increase
Personal services	\$266,655	\$261,655	\$5,000	-----
Elevator repairs	2,000	1,500	500	-----
Annual painting	10,000	6,000	4,000	-----
Maintenance, air-conditioning system	4,000	3,000	1,000	-----
Supplies and materials	19,050	17,000	2,050	-----
Equipment, including rugs and floor coverings	7,400	5,000	2,400	-----
Laundry	3,600	6,500	-----	\$2,900
Ice	1,250	2,000	-----	750
Total			14,950	3,650

¹ Net reduction, \$11,300.

The following table gives a comparative break-down of the 1944 estimate as revised, and as submitted through the Budget; also of the 1943 appropriation, and the amount of the 1943 appropriation expended and obligated to April 1, 1943:

	1944 estimate revised to conform to recommendations contained in this letter	1944 Budget estimates as originally presented to Congress	1943, appropriated	1943, expended and obligated July 1, 1942 to Apr. 1, 1943
Personal services:				
Regular, 190 employees	\$256,655	\$261,655	\$243,660	\$163,862
Temporary	5,000	5,000	5,000	21,090
Total personal services	261,655	266,655	248,660	184,952
Travel				17
Elevator repairs	1,500	2,000	2,000	464
Furniture repairs	2,000	2,000	2,000	831
Equipment repairs	500	500	500	215
General annual repairs	300	300	300	22
Annual painting	6,000	10,000	10,000	6,363
Laundry	6,500	3,600	3,600	4,477
Ice	2,000	1,250	1,250	1,151
Contingent	1,500	1,500	1,500	242
Maintenance air-conditioning system	3,000	4,000	4,000	1,398
Supplies and materials	17,000	19,050	19,050	5,011
Equipment including rugs and floor coverings	5,000	7,400	7,400	2,573
Pointing stonework			6,000	4,627
Repairs and improvements, cafeteria			7,300	-----
Total: All items other than personal services	45,300	51,600	64,900	27,391
Total expended and obligated of 1943 appropriation to Apr. 1, 1943				212,343
Balance available to June 30, 1943				101,217
Total estimate or appropriation	306,955	318,255	313,560	313,560

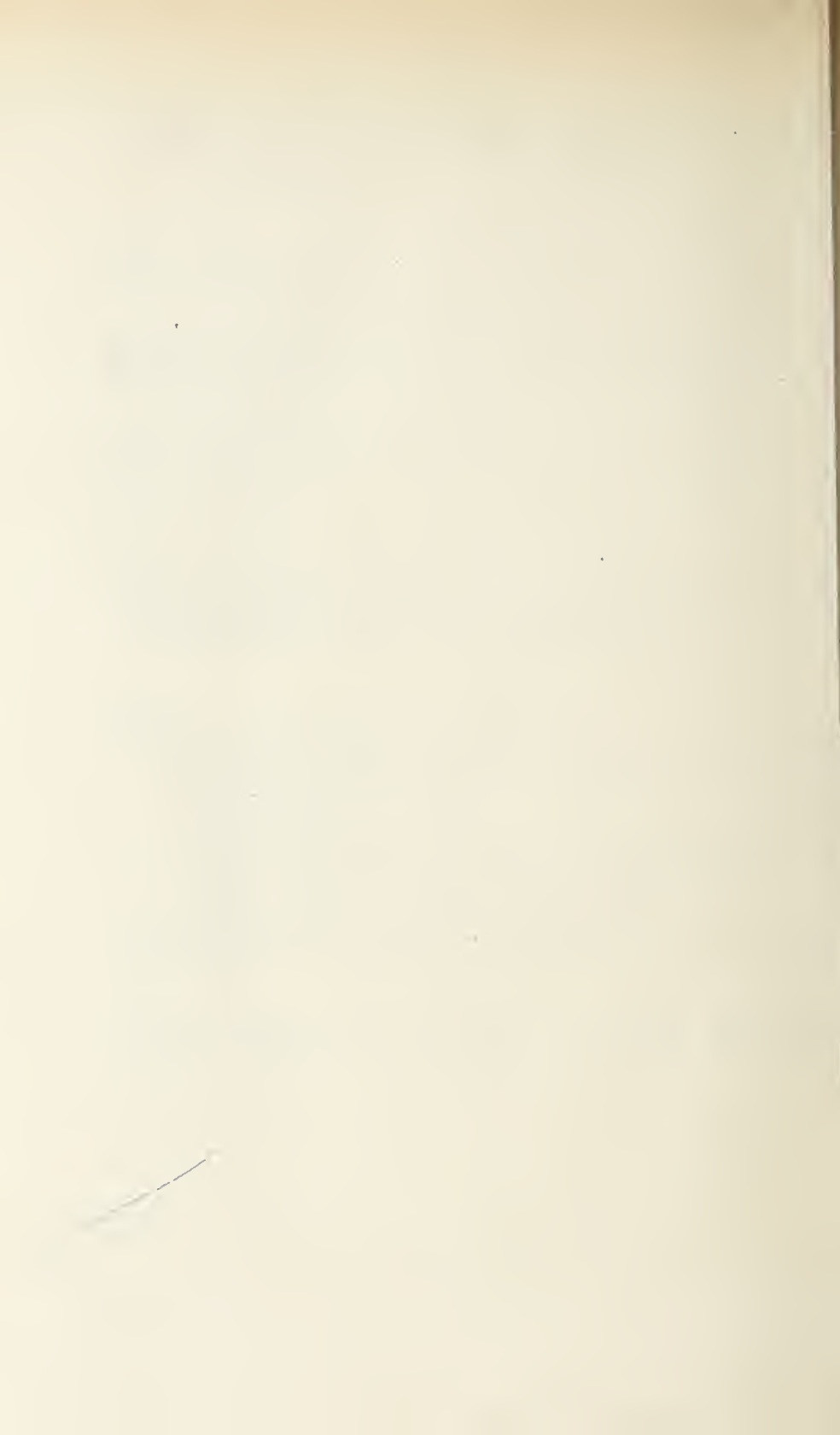
The estimates of appropriations for the Senate restaurants and for the maintenance of the Senate Office Building are the only items under the Architect of the Capitol where it is desired that changes be made.

(Whereupon, at 12:30 p. m., Wednesday, May 5, 1943, the hearing on the legislative and judiciary appropriation bill for 1944 was concluded.)

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United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 78th CONGRESS, FIRST SESSION

Vol. 89

WASHINGTON, WEDNESDAY, MAY 12, 1943

No. 86

Senate

Dr. Oscar F. Blackwelder, pastor of the Lutheran Church of the Reformation, Washington, D. C., offered the following prayer:

Father of us all, in whose purposes is the destiny of men, races, and nations, we pause at this noon hour to place ourselves in harmony with Thy purposes for us and for our Nation.

We thank Thee for the refreshment and encouragement of prayer and the practice of silent moments. Help us to hear Thy voice speaking in our minds and consciences above the noise of storm and strife.

With evil so rampant in our world, Thou who art righteousness, grant us the power to be honorable. With cruelty so casual, Thou who art mercy, grant us the power to have courage without hate. With dark days about us, Thou who art the source of all light, grant us the power of Thy eternal presence.

Give wisdom to the leaders who gather today in the White House and in the Congress. Bless our fathers and mothers, our children under new temptations, our brave young men and women everywhere.

So may the peace of God which passeth all understanding guard our minds and hearts. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On motion of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, May 10, 1943, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting several nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken
Austin
Bailey
Ball
Bankhead
Barbour
Bilbo
Bone
Brewster
Bridges
Brooks
Buck
Burton
Bushfield
Butler
Byrd
Capper
Caraway
Chandler
Chavez
Clark, Idaho
Clark, Mo.
Connally
Danaher
Davis
Downey
Eastland
Ellender

Ferguson
George
Gerry
Gillette
Green
Guffey
Gurney
Hatch
Hawkes
Hayden
Hill
Holman
Johnson, Colo.
Kilgore
La Follette
Langer
Lodge
Lucas
McClellan
McFarland
McNary
Maloney
Maybank
Millikin
Moore
Murdoch
Murray
Nye

O'Daniel
Overton
Pepper
Radcliffe
Reed
Revercomb
Reynolds
Robertson
Russell
Scruggs
Shipstead
Stewart
Taft
Thomas, Idaho
Thomas, Okla.
Thomas, Utah
Tobey
Tunnell
Tydings
Vandenberg
Van Nuys
Wagner
Walsh
Wheeler
Wherry
White
Wiley
Wilson

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. BARKLEY], the Senator from Virginia [Mr. GLASS], and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Missouri [Mr. TRUMAN] and the Senator from Washington [Mr. WALLGREN] are out of the city conducting hearings on behalf of the Special Committee to Investigate National Defense.

The Senator from Nevada [Mr. McCARRAN] is absent conducting hearings in the West on behalf of the Senate.

The Senator from New York [Mr. MEAD] is detained on important public business.

The Senator from Tennessee [Mr. McKELLAR] and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

Mr. McNARY. The Senator from California [Mr. JOHNSON] is absent because of illness.

The Senator from Indiana [Mr. WILLIS] is necessarily absent.

The VICE PRESIDENT. Eighty-four Senators having answered to their names, a quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letter, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF AGRICULTURE (S. Doc. No. 38)

A communication from the President of the United States transmitting for the consideration of Congress a reduction in an estimate of appropriation, in the amount of \$23,342,000, and also a supplemental estimate of appropriation in the amount of \$250,000, for the Department of Agriculture, fiscal year 1944, in the form of amendments to the Budget (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of Justice, Navy, and Agriculture (2), Federal Works Agency, the National Archives, and Federal Communications Commission which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A letter addressed to the President of the Senate by the chairman of the Municipal Council of St. Thomas and St. John, V. I., transmitting copy of a resolution adopted by that council (bill No. 39) recommending that Robert M. Lovett be retained as Government Secretary of the Virgin Islands, despite any charges which may have been preferred against him (with an accompanying paper); to the Committee on Territories and Insular Affairs.

By Mr. BUSHFIELD:

Petitions of sundry citizens of the State of South Dakota, praying for the enactment of the so-called Bryson bill for the wartime control and regulation of the liquor traffic, House bill 2082 to reduce absenteeism, conserve manpower, and speed production of

materials necessary for the winning of the war; to the Committee on the Judiciary.

By Mr. CAPPER:

A petition of sundry citizens of Burden, Kans., praying for the enactment of Senate bill 860, relating to the sale of alcoholic liquors to the members of the land and naval forces of the United States; to the Committee on Military Affairs.

CONFIRMATION BY SENATE OF CERTAIN GOVERNMENT EMPLOYEES—INDIVIDUAL VIEWS FILED DURING ADJOURNMENT

Under authority of the order of the 10th instant.

Mr. HATCH, as a member of the Committee on the Judiciary, on the 11th instant filed his individual views on the bill (S. 575) to provide that officers in the executive branch of the Government who receive compensation at a rate in excess of \$4,500 a year shall be appointed by the President, by and with the advice and consent of the Senate, in the manner provided by the Constitution, which were ordered to be printed as part 3 of Report No. 180.

INDIVIDUAL VIEWS ON CURRENT PAYMENT OF INDIVIDUAL INCOME TAX—FILED DURING ADJOURNMENT

Under authority of the order of the 10th instant.

Mr. LA FOLLETTE, as a member of the Committee on Finance, on the 11th instant, filed his individual views on the bill (H. R. 2570) to provide for the current payment of the individual income tax, and for other purposes, which were ordered to be printed as part 2 of Report No. 221.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MALONEY, from the Committee on Banking and Currency:

S. 35. A bill to authorize the use for war purposes of silver held or owned by the United States, with an amendment (Rept. No. 223).

By Mr. WALSH, from the Committee on Naval Affairs, all without amendment:

S. 973. A bill to amend sections 2 and 4 of the act approved June 27, 1942, entitled "An act to authorize the appointment of commissioned warrant and warrant officers to commissioned rank in the line and staff corps of the Navy, Marine Corps, and Coast Guard, and for other purposes" (Rept. No. 224);

S. 995. A bill to provide a penalty for violation of regulations or orders with respect to persons entering, remaining in, leaving, or committing certain acts within or upon vessels, harbors, ports, and water-front facilities (Rept. No. 225);

S. 1064. A bill to provide for the reorganization of the Marine Corps, and for other purposes (Rept. No. 226); and

S. 1067. A bill to amend the first paragraph of section 10 of the Pay Readjustment Act of 1942 to provide for allowances to midshipmen of the Naval Reserve for quarters and subsistence when not furnished in kind (Rept. No. 227).

REPORT OF THE APPROPRIATIONS COMMITTEE—APPROPRIATIONS FOR THE JUDICIARY AND LEGISLATIVE BRANCH: AMENDMENT

Mr. TYDINGS. Mr. President, from the Committee on Appropriations I report back with amendments the bill (H. R. 2409) making appropriations for the legislative branch and for the judi-

ciary for the fiscal year ending June 30, 1944, and for other purposes, and I submit a report (No. 222) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

Mr. TYDINGS. In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 2409) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes, the following amendment, namely, on page 10, after line 3, insert the following:

Notwithstanding the provisions of the third paragraph under the heading "Clerical assistance to Senators" of section 1 of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (2 U. S. C. 92a), in the case of the death of a Senator during his term of office, his clerical assistants on the pay roll of the Senate on the date of such death shall be continued on such pay roll at their respective salaries for a period of not to exceed 60 days: *Provided*, That any such clerical assistants continued on the pay roll shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and he is hereby authorized and directed to remove from such pay roll any such clerks who are not attending to the duties for which their services are continued.

I also submit, for appropriate disposition, an amendment intended to be proposed by me to House bill 2409, the judiciary and legislative branch appropriation bill.

The VICE PRESIDENT. The amendment submitted by the Senator from Maryland will be printed and lie on the table.

(For text of the amendment above referred to, see the foregoing notice.)

Mr. TYDINGS. Mr. President, I will say a brief word about the proposed amendment, so that Senators may not feel that it is something of transcendental importance.

In the case of the death of a Senator it has always been the custom to allow his secretary to remain on the pay roll for 30 days after his decease. That is, of course, because it is necessary to have some one familiar with a Senator's papers and effects who can turn them over to his widow, or children, or the representative of his estate.

I think it is provided in the House of Representatives that a Representative's office force shall remain on the roll for 90 days, the idea there being that when a Member of the House dies he cannot be replaced until his successor is elected, whereas in the case of a Senator, usually within 30 days, or certainly within a short period, in many States his successor is appointed by the Governor.

However, in order to avoid hardship in a case where a Senator has been a Member of this body for a long time—for instance, in the case of a Senator such as the late Senator Borah, who was in the Senate for 25 or 30 years—it would be a shame if his papers had to be disposed of in a hurry. The amendment I expect to propose will provide that the secretary of a Senator who has died may

remain on the pay roll, not for 30 days, as now provided, but for not more than 60 days if the extra time is needed.

Mr. BURTON. As I understand, the proposed amendment relates not merely to the secretary of a deceased Senator, but to his entire staff.

Mr. TYDINGS. The Senator is correct; it relates to the office force, insofar as is necessary to wind up the affairs of a deceased Senator.

HEARINGS BEFORE THE COMMITTEE ON PRINTING

Mr. HAYDEN. Mr. President, from the Committee on Printing, I report an original resolution and ask that it be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 149) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Printing, or any subcommittee thereof be, and is hereby, authorized during the Seventy-eighth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be referred to said committee, the total expenses pursuant to this resolution (which shall not exceed \$5,000) to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during sessions or recesses of the Senate.

Mr. HAYDEN subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate to which was referred the foregoing resolution, reported it without amendment and it was considered by unanimous consent and agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOORE:

S. 1091. A bill for the relief of M. C. Roberts; to the Committee on Claims.

By Mr. BALL:

S. 1092. A bill for the relief of the Winona Machine & Foundry Co., a corporation of Winona, Minn.; to the Committee on Claims.

By Mr. HATCH:

S. 1093. A bill for the relief of Fermin Salas; to the Committee on Claims.

S. 1094 (by request). A bill to provide for the disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior; and

S. 1095 (by request). A bill to amend sections 6, 7, and 8 of the act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 20, 1914 (38 Stat. 741, 743; 48 U. S. C., secs. 440, 441, 442); to the Committee on Public Lands and Surveys.

By Mr. BAILEY:

S. 1096. A bill to establish a Bureau of Vital Records in the United States Public Health Service, and for other purposes; to the Committee on Commerce.

By Mr. DOWNEY:

S. 1097. A bill to amend Public Law 45, Seventy-eighth Congress, approved April 29, 1943, with respect to the payment of old-

78TH CONGRESS
1ST SESSION

Calendar No. 224

H. R. 2409

[Report No. 222]

IN THE SENATE OF THE UNITED STATES

APRIL 9 (legislative day, APRIL 6), 1943

Read twice and referred to the Committee on Appropriations

MAY 12, 1943

Reported by Mr. TYDINGS, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the following sums are appropriated, out of any money
- 4 in the Treasury not otherwise appropriated, for the Legis-
- 5 lative Branch and for the Judiciary for the fiscal year ending
- 6 June 30, 1944, namely:

1 TITLE I—LEGISLATIVE BRANCH

2 SENATE

3 SALARIES AND MILEAGE OF SENATORS

4 For compensation of Senators, \$960,000.

5 For mileage of the President of the Senate and of
6 Senators, \$51,000.7 For compensation of officers, clerks, messengers, and
8 others:

9 OFFICE OF THE VICE PRESIDENT

10 Salaries: For clerical assistance to the Vice President,
11 at rates of compensation to be fixed by him, \$11,460.

12 CHAPLAIN

13 Chaplain of the Senate, \$1,680.

14 OFFICE OF THE SECRETARY

15 Salaries: Secretary of the Senate, including compensa-
16 tion as disbursing officer of salaries of Senators and of
17 contingent fund of the Senate, \$8,000; Chief Clerk, who
18 shall perform the duties of reading clerk, \$5,500 and \$1,500
19 additional so long as the position is held by the present
20 incumbent; financial clerk, \$5,000 and \$1,000 additional
21 so long as the position is held by the present incumbent;
22 assistant financial clerk, \$4,500; Parliamentarian, \$5,000
23 and \$1,500 additional so long as the position is held by
24 the present incumbent; Journal Clerk, \$4,000 and \$500
25 additional so long as the position is held by the present in-

1 cumbent; principal clerk \$4,000; legislative clerk, \$4,000
 2 and \$1,000 additional so long as the position is held by
 3 the present incumbent; enrolling clerk, \$4,000; printing
 4 clerk, \$3,540 and \$460 additional so long as the position
 5 is held by the present incumbent; chief bookkeeper, \$3,600;
 6 librarian, \$3,600; executive clerk, \$3,180 and \$420 addi-
 7 tional so long as the position is held by the present in-
 8 cumbent; first assistant librarian, \$3,120; keeper of
 9 stationery, \$3,320; clerks—one at \$3,600, one at \$3,360,
 10 one at \$3,180, three at \$2,880 each, one at \$2,640 and
 11 \$660 additional so long as the position is held by the
 12 present incumbent, two at \$2,640 each, clerk in Disbursing
 13 Office, \$2,400, six at \$2,400 each, three at \$1,860 each,
 14 three at \$1,740 each; assistant in library, \$1,440 *and \$420*
 15 *additional so long as the position is held by the present*
 16 *incumbent*; special officer, \$2,460; assistants at the press
 17 door—one at \$2,200, one at \$1,900; messenger, \$1,260;
 18 laborers—one at \$1,800, one at \$1,620, four at \$1,440
 19 each, one at \$1,380, one in Secretary's office, \$1,680, one
 20 \$1,560, one, \$1,260; in all, ~~\$150,020~~ \$150,440.

DOCUMENT ROOM

22 Salaries: Superintendent, \$3,960 and \$1,040 additional
 23 so long as the position is held by the present incumbent;
 24 first assistant, \$2,640; second assistant, \$2,040; four assist-
 25 ants, at \$2,040 each; skilled laborer, \$1,380; in all,
 26 \$19,220.

1 COMMITTEE EMPLOYEES

2 Clerks and messengers to the following committees:
 3 Agriculture and Forestry—clerk, \$3,900; assistant clerk,
 4 \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400;
 5 assistant clerk, \$2,220; additional clerk, \$1,800. Appro-
 6 priations—clerk, \$7,000 and \$1,000 additional so long as
 7 the position is held by the present incumbent; assistant
 8 clerk, \$4,800; assistant clerk, \$3,900; three assistant clerks
 9 at \$3,000 each; two assistant clerks at \$2,220 each; mes-
 10 senger, \$1,800. To Audit and Control the Contingent
 11 Expenses of the Senate—clerk, \$3,900; assistant clerk,
 12 \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220;
 13 additional clerk, \$1,800. Banking and Currency—clerk,
 14 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400;
 15 assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assist-
 16 ant clerk, \$2,400; assistant clerk, \$2,220; additional clerk,
 17 \$1,800. Claims—clerk, \$3,900; assistant clerk, \$2,880; as-
 18 sistant clerk, \$2,580; two assistant clerks at \$2,220 each.
 19 Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant
 20 clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks
 21 at \$2,220 each. Conference Majority of the Senate—clerk,
 22 \$3,900; assistant clerk, \$2,880; two assistant clerks at
 23 \$2,580 each; assistant clerk, \$2,220. Conference Minority
 24 of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two
 25 assistant clerks at \$2,580 each; assistant clerk, \$2,220. Dis-

1 trict of Columbia—clerk, \$3,900; two assistant clerks at
 2 \$2,880 each; assistant clerk, \$2,220; ~~additional clerk,~~
 3 ~~\$1,800~~ *two additional clerks at \$1,800 each*; additional
 4 clerical assistance at rates of compensation to be fixed
 5 by the chairman of said committee, \$6,000. Education
 6 and Labor—clerk, \$3,900; assistant clerk, \$2,580; as-
 7 sistant clerk, \$2,220; additional clerk, \$1,800. Enrolled
 8 Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 9 \$2,220; assistant clerk, \$1,800; additional clerk, \$1,800.
 10 Expenditures in the Executive Departments—clerk, \$3,900;
 11 assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 12 tional clerk, \$1,800. Finance—clerk, \$4,200 and \$500
 13 additional so long as the position is held by the pres-
 14 sent incumbent; special assistant to the committee, \$3,600;
 15 assistant clerk, \$2,880; assistant clerk, \$2,700; assist-
 16 ant clerk, \$2,400; two assistant clerks at \$2,220 each;
 17 two experts (one for the majority and one for the minority)
 18 at \$3,600 each; messenger, \$1,800. Foreign Relations—
 19 clerk, \$3,900; *assistant clerk, \$3,000, in lieu of assistant*
 20 *clerk provided by Senate Resolution Numbered 321 (Sev-*
 21 *enty-seventh Congress), agreed to December 15, 1942;*
 22 assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk,
 23 \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immi-
 24 gration—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk,
 25 \$2,220; additional clerk, \$1,800. Indian Affairs—clerk,

1 \$3,900; assistant clerk, \$3,600 and \$1,400 additional so long
 2 as the position is held by the present incumbent; assistant clerk,
 3 \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; addi-
 4 tional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900;
 5 assistant clerk, \$2,580; assistant clerk, \$2,220; additional
 6 clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant
 7 clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at
 8 \$2,580 each; assistant clerk, \$2,220. Irrigation and Rec-
 9 lamation—clerk, \$3,900; assistant clerk, \$2,580; assistant
 10 clerk, \$2,220; two additional clerks at \$1,800 each. Judici-
 11 ary—clerk, \$3,900; assistant clerk, \$2,880; two assistant
 12 clerks at \$2,580 each; assistant clerk, \$2,220. Library—
 13 clerk, \$3,900; two assistant clerks at \$2,400 each; assistant
 14 clerk, \$2,220; additional clerk, \$1,800. Manufactures—
 15 clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 16 \$2,220; additional clerk, \$1,800. Military Affairs—clerk,
 17 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; as-
 18 sistant clerk, \$2,400; two assistant clerks at \$2,220 each.
 19 Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400;
 20 assistant clerk, \$2,220; two additional clerks at \$1,800 each.
 21 Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assist-
 22 ant clerk, \$2,400; two assistant clerks at \$2,220 each. Pat-
 23 ents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 24 \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900;
 25 assistant clerk, \$2,580; four assistant clerks at \$2,220 each

1 Post Offices and Post Roads—clerk, \$3,900; assistant clerk,
 2 \$2,880; assistant clerk, \$2,520; three assistant clerks at
 3 \$2,220 each; additional clerk, \$1,800. Printing—clerk,
 4 \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 5 tional clerk, \$1,800. Privileges and Elections—clerk, \$3,900;
 6 assistant clerk, \$2,400; assistant clerk, \$2,220; addi-
 7 tional clerk, \$1,800. Public Buildings and Grounds—clerk,
 8 \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220;
 9 assistant clerk, \$2,000; additional clerk, \$1,800. Public
 10 Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880;
 11 assistant clerk, \$2,580; two assistant clerks at \$2,220 each.
 12 Rules—clerk, \$3,900 and \$200 toward the preparation bi-
 13 ennially of the Senate Manual under the direction of the Com-
 14 mittee on Rules; assistant clerk, \$2,880; assistant
 15 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 16 \$1,800. Territories and Insular Affairs—clerk, \$3,900;
 17 assistant clerk, \$2,580; two assistant clerks at \$2,220 each;
 18 two assistant clerks at \$2,000 each; additional clerk,
 19 \$1,800; in all, ~~\$507,740~~ \$512,540.

CLERICAL ASSISTANCE TO SENATORS

21 Clerical assistance to Senators who are not chairmen of
 22 the committees specially provided for herein, as follows:
 23 Seventy clerks at \$3,900 each; seventy assistant clerks at
 24 \$2,400 each; and seventy assistant clerks at \$2,220 each;
 25 such clerks and assistant clerks shall be ex officio clerks and

1 assistant clerks of any committee of which their Senator is
 2 chairman; seventy additional clerks at \$1,800 each, one for
 3 each Senator having no more than one clerk and two assistant
 4 clerks for himself or for the committee of which he is chair-
 5 man; messenger, \$1,800; in all, \$724,200.

6 Ninety-six additional clerks at \$1,800 per annum each,
 7 one for each Senator, \$172,800.

8 Ninety-six additional clerks at \$1,800 per annum each,
 9 one for each Senator, \$172,800.

10 Twenty-eight additional clerks at \$1,500 per annum
 11 each, one for each Senator from each State which has a popu-
 12 lation of three million or more inhabitants, \$42,000.

13 For three additional clerks at \$1,500 per annum each for
 14 each Senator from any State which has a population of ten
 15 million or more inhabitants, \$9,000; for two additional clerks
 16 at \$1,500 per annum each for each Senator from any State
 17 which has a population of five million or more inhabitants but
 18 less than ten million, \$36,000, in all, \$45,000: *Provided*,
 19 That such additional clerks shall be in addition to any other
 20 clerical assistance to which Senators are entitled, and shall
 21 be employed only during the period of the emergency.

22 Senators and chairmen of standing committees may re-
 23 ~~arrange or change~~ the schedule of salaries and the number
 24 ~~of employees in their respective offices or committees:~~ *Pro-*
 25 ~~vided;~~ That such changes shall not increase the aggregate of

1 the salaries provided for such offices or committees by law
 2 or Senate resolution: *Provided further*, That no salary shall
 3 be fixed hereunder at a rate in excess of \$4,500 per annum
 4 and no action shall be taken to reduce any salary which is
 5 specifically fixed by law at a rate higher than \$4,500: *Pro-*
 6 *vided further*, That Senators and committee chairmen, on
 7 or before the first day of the month in which such changes
 8 are to become effective, shall certify in writing such changes
 9 or rearrangements to the disbursing office which shall there-
 10 after pay such employees in accord with such changed
 11 schedule.

12 *Senators and chairmen of standing committees may*
 13 *change the number of employees in their respective offices or*
 14 *committees, and may rearrange the schedule of basic salaries*
 15 *of such employees in multiples of \$5 per month: Provided,*
 16 *That such changes and rearrangements shall not increase the*
 17 *aggregate of the salaries provided for such offices or commit-*
 18 *tees by law or Senate resolution: Provided further, That no*
 19 *salary shall be fixed under this paragraph at a rate in excess*
 20 *of \$4,500 per annum, and no action shall be taken to reduce*
 21 *any salary which is specifically fixed by law at a rate higher*
 22 *than \$4,500 per annum: Provided further, That Senators*
 23 *and committee chairmen, before the day on which they are*
 24 *to become effective, shall certify in writing such changes or*

1 *rearrangements to the disbursing office of the Senate which*
 2 *thereafter shall pay such employees in accordance with such*
 3 *certifications.*

4 In all, clerical assistance to Senators, \$1,156,800.

5 OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

6 Salaries: Sergeant at Arms and Doorkeeper, \$8,000;
 7 two secretaries (one for the majority and one for the minor-
 8 ity), at \$5,400 each and \$1,500 additional each so long as
 9 the respective positions are held by the present respective
 10 incumbents; two assistant secretaries (one for the majority
 11 and one for the minority), at \$4,320 each and \$480 addi-
 12 tional each so long as the respective positions are held by the
 13 present respective incumbents; Deputy Sergeant at Arms
 14 and storekeeper, \$4,800 and \$1,000 additional so long as
 15 the position is held by the present incumbent; clerks—one
 16 \$3,300, one \$3,120, one \$2,200, ~~one \$2,100~~, one \$2,120,
 17 one \$1,800, one to the secretary for the majority, \$2,280 and
 18 \$120 additional so long as the position is held by the present
 19 incumbent, one to the secretary for the minority, \$2,280 *and*
 20 *\$120 additional so long as the position is held by the present*
 21 *incumbent*, ~~one \$1,500~~; assistant doorkeeper, \$2,880; mes-
 22 sengers—three (acting as assistant doorkeepers) at \$2,400
 23 each; one at \$1,740 and \$260 additional so long as the posi-
 24 tion is held by the present incumbent; twenty-nine (including
 25 four for minority) at \$1,740 each; four at \$1,620 each; one

1 at card door, \$2,640, and \$240 additional so long as the posi-
 2 tion is held by the present incumbent; clerk on Journal work
 3 for Congressional Record to be selected by the Official Re-
 4 porters, \$3,360; upholsterer and locksmith, \$2,600; cabinet-
 5 maker, \$2,040; three carpenters at \$2,040 each; cabinet-
 6 makers—chief, \$2,780; one, \$2,300; one, \$2,040; finisher,
 7 \$2,300; upholsterer, \$2,040; janitor, \$2,400 and \$300 addi-
 8 tional so long as the position is held by the present incumbent;
 9 five skilled laborers, \$1,680 each; laborer in charge of private
 10 passage, \$1,740 and \$120 additional so long as the position
 11 is held by the present incumbent; four female attendants in
 12 charge of ladies' retiring rooms, at \$1,500 each; three female
 13 attendants in charge of ladies' retiring rooms, Senate Office
 14 Building, at \$1,500 each; attendant authorized by S. Res.
 15 252, adopted May 13, 1938, \$1,500; telephone operators—
 16 chief \$2,460 and \$280 additional so long as the position is
 17 held by the present incumbent; fourteen at \$1,620 each;
 18 laborer in charge of Senate toilet rooms in old library space,
 19 \$1,200; press gallery—superintendent, \$3,660; assistant
 20 superintendent, \$3,000; assistant superintendent, \$1,920;
 21 messengers for service to press correspondents—two at \$1,560
 22 each, two at \$1,440 each; radio press gallery—superintend-
 23 ent, \$3,000; assistant superintendent, \$1,960; laborers—
 24 three at \$1,380 each, ~~thirty~~ *twenty-eight* at \$1,260 each,
 25 three at \$480 each; special employees—seven at \$1,000

1 each; twenty-one pages for the Senate Chamber, at the rate
 2 of \$4 per day each, during the session, \$15,288; in all
 3 ~~\$277,228~~ \$274,028.

4 Police force for Senate Office Building under the Ser-
 5 geant at Arms: Lieutenant, \$1,740; special officer, \$1,740;
 6 three sergeants at \$1,680 each; twenty-eight privates at
 7 \$1,620 each; in all, \$53,880.

8 POST OFFICE

9 Salaries: Postmaster, \$3,600; assistant postmaster,
 10 \$2,880; chief clerk, \$2,460; wagon master, \$2,280; twenty-
 11 six mail carriers, at \$1,740 each; in all, \$56,460.

12 FOLDING ROOM

13 Salaries: Foreman, \$2,460 and \$540 additional so long
 14 as the position is held by the present incumbent; clerk,
 15 \$2,280; clerk, \$1,740; folders—chief, \$2,040, fourteen at
 16 \$1,440 each; in all, \$29,220.

17 CONTINGENT EXPENSES OF THE SENATE

18 Vice President's automobile: For purchase, exchange,
 19 driving, maintenance, and operation of an automobile for the
 20 Vice President, \$4,000.

21 Reporting Senate proceedings: For reporting the
 22 debates and proceedings of the Senate, payable in equal
 23 monthly installments, ~~\$66,340~~ \$69,750.

24 Furniture: For services in cleaning, repairing, and
 25 varnishing furniture, \$2,000.

1 Furniture: For materials for furniture and repairs of
 2 same, exclusive of labor, and for the purchase of furniture,
 3 \$8,000.

4 Inquiries and investigations: For expenses of inquiries
 5 and investigations ordered by the Senate, including com-
 6 pensation to stenographers of committees, at such rate as
 7 may be fixed by the Committee to Audit and Control the
 8 Contingent Expenses of the Senate, but not exceeding 25
 9 cents per hundred words, \$150,000: *Provided*, That no
 10 part of this appropriation shall be expended for per diem
 11 and subsistence expenses except in accordance with the pro-
 12 visions of the Subsistence Expense Act of 1926, approved
 13 June 3, 1926, as amended.

14 Joint Committee on Internal Revenue Taxation: For
 15 payment of one-half of the salaries and other expenses of the
 16 Joint Committee on Internal Revenue Taxation as author-
 17 ized by law, ~~\$30,000~~ \$35,500.

18 Folding documents: For folding speeches and pamphlets
 19 at a rate not exceeding \$1 per thousand, \$18,000.

20 For materials for folding, \$1,500.

21 Fuel, and so forth: For fuel, oil, cotton waste, and
 22 advertising, exclusive of labor, \$2,000.

23 Senate restaurants: For repairs, improvements, equip-
 24 ment, and supplies for Senate kitchens and restaurants,
 25 Capitol Building, and Senate Office Building, including per-

1 sonal and other services, to be expended from the contingent
2 fund of the Senate, under the supervision of the Committee
3 on Rules, United States Senate, \$35,000.

4 *Senate restaurants: For payment to the Architect of the*
5 *Capitol in accordance with the Act approved September 9,*
6 *1942 (Public Law 709, Seventy-seventh Congress), \$35,000.*

7 Motor vehicles: For maintaining, exchanging, and
8 equipping motor vehicles for carrying the mails and for
9 official use of the offices of the Secretary and Sergeant at
10 Arms, \$8,760.

11 Miscellaneous items: For miscellaneous items, exclusive
12 of labor, \$350,000.

13 Packing boxes: For packing boxes, \$970.

14 Postage stamps: For office of Secretary, \$350; office of
15 Sergeant at Arms, \$150; in all, \$500.

16 Air-mail stamps: For air-mail stamps for Senators and
17 the President of the Senate, as authorized by law, \$4,850

18 Stationery: For stationery for Senators and for the Presi-
19 dent of the Senate, including \$7,500 for stationery for com-
20 mittees and offices of the Senate, \$26,900.

21 Rent: For rent of warehouse for storage of public
22 documents, \$2,000.

23 HOUSE OF REPRESENTATIVES

24 SALARIES AND MILEAGE OF MEMBERS

25 For compensation of Members of the House of Repre-

1 representatives, Delegates from Territories, and the Resident
2 Commissioner from Puerto Rico, \$4,385,000.

3 For mileage of Representatives, the Delegate from
4 Hawaii and the Resident Commissioner from Puerto Rico,
5 and for expenses of the Delegate from Alaska, \$171,000.

6 For compensation of officers, clerks, messengers, and
7 others:

8 OFFICE OF THE SPEAKER

9 Salaries: Secretary to the Speaker, \$4,620; three clerks
10 to the Speaker, at \$2,400 each; messenger to Speaker,
11 \$1,680; in all, \$13,500.

12 THE SPEAKER'S TABLE

13 Salaries: Parliamentary \$5,000, and \$2,500 additional
14 so long as the position is held by the present incumbent, and
15 for preparing Digest of the Rules, \$1,000 per annum; As-
16 sistant Parliamentary, \$3,000 and \$1,500 additional so
17 long as the position is held by the present incumbent; mes-
18 senger to Speaker's table, \$1,740 and \$660 additional so
19 long as the position is held by the present incumbent; in
20 all, \$15,400.

21 CHAPLAIN

22 Chaplain of the House of Representatives, \$1,680, and
23 \$820 additional so long as the position is held by the present
24 incumbent.

1 OFFICE OF THE CLERK

2 Salaries: Clerk of the House of Representatives, in-
3 cluding compensation as disbursing officer of the contingent
4 fund, \$8,000; Journal clerk, two reading clerks, and tally
5 clerk, at \$5,000 each; enrolling clerk, \$4,000; disbursing
6 clerk, \$3,960 and \$1,040 additional so long as the position
7 is held by the present incumbent; file clerk, \$3,780; chief
8 bill clerk, \$3,540; assistant enrolling clerk, \$3,900; assist-
9 ant tally clerk, \$3,600; assistant reading clerk, \$3,600,
10 to continue available under the limitations of House
11 Resolution Numbered 241, adopted June 20, 1941; assistant
12 to disbursing clerk, \$3,120; stationery clerk, \$2,880; librar-
13 ian, \$2,760; assistant librarian and assistant file clerk, at
14 \$2,520 each; assistant Journal clerk and assistant librarian,
15 at \$2,460 each; clerks—one at \$2,460, four at \$2,340 each;
16 bookkeeper and assistant in disbursing office, at \$2,160 each;
17 assistant in disbursing office, \$1,800; three assistants to
18 chief bill clerk at \$2,100 each; stenographer to the Clerk,
19 \$2,500; assistant in stationery room, \$1,740; three mes-
20 sengers at \$1,680 each; stenographer to Journal clerk,
21 \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each;
22 telephone operators—assistant chief, \$1,800, twenty-three
23 at \$1,620 each; substitute telephone operator, when re-
24 quired, at \$4 per day, \$1,464; property custodian and
25 superintendent of furniture and repair shop, who shall be

1 a skilled cabinetmaker or upholsterer and experienced in
 2 the construction and purchase of furniture, \$3,960; two
 3 assistant custodians at \$3,360 each; locksmith and type-
 4 writer repairer, \$1,860; messenger and clock repairer,
 5 \$1,740; operation, maintenance, and repair of motor ve-
 6 hicles, \$1,200; in all, \$182,144.

7 COMMITTEE EMPLOYEES

8 Clerks, messengers, and janitors to the following com-
 9 mittees: Accounts—clerk, \$3,300; assistant clerk, \$2,460;
 10 janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk,
 11 \$2,460; janitor, \$1,560. Appropriations—clerk, \$7,000 and
 12 \$1,000 additional so long as the position is held by the pres-
 13 ent incumbent; assistant clerk, \$5,000 and \$2,500 additional
 14 so long as the position is held by the present incumbent;
 15 assistant clerk, \$3,900 and \$1,100 additional so long as the
 16 position is held by the present incumbent; two assistant clerks
 17 at \$3,900 each and \$600 each additional so long as the
 18 respective positions are held by the present respective
 19 incumbents; assistant clerk, \$3,900; assistant clerk, \$3,300
 20 and \$600 additional so long as the position is held by
 21 the present incumbent; additional clerical assistants at rates
 22 to be fixed by the chairman of the Committee on Appropria-
 23 tions, \$15,960; messenger, \$1,680; four clerk-stenographers
 24 at the annual rate of \$1,800 each, one for each subcommittee

1 of the Committee on Appropriations having jurisdiction over
 2 a regular annual appropriation bill as shall be designated by
 3 the chairman of the Committee on Appropriations and to be
 4 appointed by the chairmen of the subcommittees so desig-
 5 nated, subject to the approval of the chairman, \$7,200.
 6 Banking and Currency—clerk, \$2,760; assistant clerk,
 7 \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor,
 8 \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260.
 9 Claims—clerk, \$3,300; assistant clerk, \$2,460; assistant clerk,
 10 \$1,800; janitor, \$1,260. Coinage, Weights, and Measures—
 11 clerk, \$2,760; janitor, \$1,260. Disposition of Executive
 12 Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300;
 13 assistant clerk, \$2,460; janitor, \$1,260. Education—clerk,
 14 \$2,760; janitor, \$1,260. Election of the President, Vice
 15 President, and Representatives in Congress—clerk, \$2,760.
 16 Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elec-
 17 tions Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections
 18 Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled
 19 Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in the
 20 Executive Departments—clerk, \$3,300; janitor, \$1,260.
 21 Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Af-
 22 fairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260.
 23 Immigration and Naturalization—clerk, \$3,300; assistant
 24 clerk, \$2,400; janitor, \$1,260. Indian Affairs—clerk,
 25 \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular

1 Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and For-
 2 eign Commerce—clerk, \$3,900; additional clerk, \$2,640;
 3 assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Rec-
 4 lamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—
 5 clerk, \$3,300; assistant clerk, \$2,880; expert examiner,
 6 \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—
 7 clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980;
 8 janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk,
 9 \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor,
 10 \$1,260. Merchant Marine and Fisheries—clerk, \$2,760;
 11 assistant clerk, \$1,740; janitor, \$1,260. Military Affairs—
 12 clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560.
 13 Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval
 14 Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor,
 15 \$1,560. Patents—clerk, \$2,760; janitor, \$1,260. Pen-
 16 sions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260.
 17 Post Office and Post Roads—clerk, \$3,300; assistant clerk,
 18 \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor,
 19 \$1,560. Public Buildings and Grounds—clerk, \$3,300; as-
 20 sistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk,
 21 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision
 22 of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and
 23 Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor,
 24 \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740;
 25 janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk,

1 \$2,100; clerk-stenographer, \$1,800; janitor, \$1,260. Ter-
 2 ritories—clerk, \$2,760; janitor, \$1,260. War Claims—clerk,
 3 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and
 4 Means—clerk, \$4,620; assistant clerk, \$3,000; assistant clerk
 5 and stenographer, \$2,640; assistant clerk, \$2,580; clerk for
 6 minority, \$3,180 and \$420 additional so long as the position
 7 is held by the present incumbent; janitors—one, \$1,560; two
 8 at \$1,260 each. World War Veterans' Legislation—clerk,
 9 \$3,300; assistant clerk, \$2,460; in all, \$337,600.

10 OFFICE OF SERGEANT AT ARMS

11 Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant
 12 at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant
 13 cashier, \$4,000; two bookkeepers at \$3,360 each; Deputy
 14 Sergeant at Arms in charge of pairs, \$3,600; special assistant
 15 to Sergeant at Arms, \$2,400; pair clerk and messenger,
 16 \$2,820; stenographer, \$2,500; skilled laborer, \$1,380; hire
 17 of automobile, \$600; in all, \$41,200.

18 Police force, House Office Building, under the Sergeant
 19 at Arms: Lieutenant, \$1,740; three sergeants at \$1,680 each;
 20 thirty-five privates at \$1,620 each; in all, \$63,480.

21 OFFICE OF DOORKEEPER

22 Salaries: Doorkeeper, \$6,000; special employee, \$3,000;
 23 superintendent of House Press Gallery, \$3,660; assistants to
 24 the superintendent of the House Press Gallery—one at
 25 \$2,520, and \$300 additional so long as the position is held

1 by the present incumbent, and one at \$2,400; House Radio
 2 Press Gallery—superintendent of radio room at \$2,700;
 3 messenger at \$1,560; chief janitor, \$2,700; messengers—one
 4 chief messenger, \$2,240, sixteen messengers at \$1,740 each,
 5 fourteen on soldiers' roll at \$1,740 each; laborers—seventeen
 6 at \$1,260 each, two (cloakroom) at \$1,380 each, one
 7 (cloakroom), \$1,260, and seven (cloakroom) at \$1,140
 8 each; three female attendants in ladies' retiring rooms at
 9 \$1,680 each, attendant for the ladies' reception room,
 10 \$1,440; superintendent of folding room, \$3,180 and \$420
 11 additional so long as the position is held by the present in-
 12 cumbent; foreman of folding room, \$2,640; chief clerk to
 13 superintendent of folding room, \$2,460; three clerks at
 14 \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one
 15 folders at \$1,440 each; shipping clerk, \$1,740; two drivers at
 16 \$1,380 each; two chief pages at \$1,980 each; two telephone
 17 pages at \$1,680 each; two floor managers of telephones (one
 18 for the minority) at \$3,180 each and \$300 each additional so
 19 long as the respective positions are held by the respective
 20 present incumbents; two assistant floor managers in charge of
 21 telephones (one for the minority) at \$2,100 each; forty-
 22 seven pages during the session, including ten pages for duty at
 23 the entrances to the Hall of the House at \$4 per day
 24 each, \$34,216; superintendent of document room (Elmer
 25 A. Lewis), \$3,960 and \$1,040 additional so long as the

1 position is held by the present incumbent; assistant super-
 2 intendent of document room, \$2,760; clerk, \$2,320; assistant
 3 clerk, \$2,160; eight assistants at \$1,860 each; janitor,
 4 \$1,440; messenger to press room (House Press Gallery),
 5 \$1,560; maintenance and repair of folding-room motortruck,
 6 \$500; in all, \$269,336.

7 SPECIAL AND MINORITY EMPLOYEES

8 For the minority employees authorized and named in
 9 the House Resolutions Numbered 51 and 53 of December 11,
 10 1931, as amended: Two at \$5,000 each, three at \$3,000
 11 each; one at \$3,600 and \$300 additional while the position
 12 is held by the present incumbent (minority pair clerk,
 13 House Resolution Numbered 313 of August 7, 1935); in
 14 all, \$22,900.

15 Special employees: Assistant foreman of the folding
 16 room, authorized in the resolution of September 30, 1913,
 17 \$1,980; laborer, authorized and named in the resolution of
 18 April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

19 Successors to any of the employees provided for in the
 20 two preceding paragraphs may be named by the House of
 21 Representatives at any time.

22 Office of majority floor leader: Legislative clerk, \$3,110;
 23 clerk, \$2,530; additional clerk, \$2,000; two assistant clerks,
 24 at \$1,800 each; for official expenses of the majority leader,
 25 as authorized by House Resolution Numbered 101, Seventy-

1 first Congress, adopted December 18, 1929, \$2,000; in all,
2 \$13,240.

3 Conference minority: Clerk, \$3,180; legislative clerk,
4 \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all,
5 \$9,900. The foregoing employees to be appointed by the
6 minority leader.

7 Two messengers, one in the majority caucus room and
8 one in the minority caucus room, to be appointed by the
9 majority and minority whips, respectively, at \$1,740 each;
10 in all, \$3,480.

11 POST OFFICE

12 Salaries: Postmaster, \$5,000; assistant postmaster,
13 \$2,880; two registry and money-order clerks, at \$2,100
14 each; forty messengers (including one to superintend trans-
15 portation of mails), at \$1,740 each; substitute messengers
16 and extra services of regular employees, when required, at
17 the rate of not to exceed \$145 per month each, \$1,740;
18 laborer, \$1,260; in all, \$84,680.

19 Motor vehicles: For the purchase, exchange, mainte-
20 nance, and repair of motor vehicles for carrying the mails,
21 \$2,200.

22 OFFICIAL REPORTERS OF DEBATES

23 Salaries: Seven official reporters of the proceedings and
24 debates of the House at \$7,500 each; clerk, \$4,000; assistant

1 clerk, \$2,000; six expert transcribers at \$2,000 each; in all,
2 \$70,500.

3 COMMITTEE STENOGRAPHERS

4 Salaries: Four stenographers to committees, at \$7,000
5 each and two stenographers to committees, at \$6,000 each;
6 clerk, \$3,360; in all, \$43,360: *Provided*, That any sums
7 received from the sale of copies of transcripts of hearings of
8 committees reported by such stenographers shall be covered
9 into the Treasury as "miscellaneous receipts".

10 Whenever the words "during the session" occur in the
11 foregoing paragraphs they shall be construed to mean the
12 one hundred and eighty-two days from January 1 to June
13 30, 1944, both inclusive.

14 CLERK HIRE, MEMBERS AND DELEGATES

15 For clerk hire necessarily employed by each Member
16 and Delegate, and the Resident Commissioner from Puerto
17 Rico, in the discharge of his official and representative
18 duties, in accordance with the Act entitled "An Act to fix
19 the compensation of officers and employees of the legislative
20 branch of the Government", approved June 20, 1929, as
21 amended by the Act of July 25, 1939, \$2,847,000.

22 CONTINGENT EXPENSES OF THE HOUSE

23 Furniture: For furniture and materials for repairs of the
24 same, including not to exceed \$29,000 for labor, tools, and
25 machinery for furniture repair shops, \$40,000.

1 Miscellaneous items: For miscellaneous items, exclu-
2 sive of salaries unless specifically ordered by the House of
3 Representatives, including the sum of \$27,500 for payment
4 to the Architect of the Capitol in accordance with section
5 208 of the Act approved October 9, 1940 (Public Act
6 812, Seventy-sixth Congress), the reimbursement to the
7 official stenographers to committees for the amounts actually
8 paid out by them for transcribing hearings, and materials
9 for folding, \$95,000.

10 Reporting hearings: For stenographic reports of hearings
11 of committees other than special and select committees,
12 \$30,000.

13 Special and select committees: For expenses of special
14 and select committees authorized by the House, \$400,000.

15 Joint Committee on Internal Revenue Taxation: For
16 payment of one-half of the salaries and other expenses of
17 the Joint Committee on Internal Revenue Taxation as
18 authorized by law, \$35,500.

19 Funeral expenses: No part of the appropriations con-
20 tained in this title for the contingent expenses of the House of
21 Representatives shall be used to defray the expenses of any
22 committee consisting of more than six persons (not more
23 than four from the House and not more than two from the
24 Senate), nor to defray the expenses of any other person

1 except the Sergeant at Arms of the House or a representa-
2 tive of his office, and except the widow or minor children
3 or both of the deceased, to attend the funeral rites and burial
4 of any person who at the time of his or her death is a
5 Representative, a Delegate from a Territory, or a Resident
6 Commissioner from Puerto Rico.

7 Telegraph and telephone: For telegraph and telephone
8 service, exclusive of personal services, \$175,000.

9 Stationery: For stationery for Representatives, Dele-
10 gates, and the Resident Commissioner from Puerto Rico,
11 for the second session of the Seventy-eighth Congress,
12 and for stationery for the use of the committees and officers
13 of the House (not to exceed \$5,000) , \$92,600.

14 Attending physician's office: For medical supplies,
15 equipment, and contingent expenses of the emergency room
16 and for the attending physician and his assistants, including
17 an allowance of \$1,500 to be paid to the attending physician
18 in equal monthly installments as authorized by the Act
19 approved June 27, 1940 (54 Stat. 629) , and including an
20 allowance of not to exceed \$30 per month each to four
21 assistants as provided by the House resolutions adopted
22 July 1, 1930, January 20, 1932, and November 18,
23 1940, \$6,985.

24 Postage stamps: Postmaster, \$200; Clerk, \$400; Ser-
25 geant at Arms, \$250; Doorkeeper, \$100; in all, \$950.

1 To enable the Clerk of the House to procure and furnish
2 each Representative, Delegate, and the Resident Commis-
3 sioner from Puerto Rico, United States air mail and special
4 delivery postage stamps as authorized by law, \$21,900.

5 Folding documents: For folding speeches and pamphlets,
6 at a rate not exceeding \$1 per thousand or for the employ-
7 ment of personnel at a rate not to exceed \$4 per day per
8 person, \$30,000, of which \$5,000 shall be available imme-
9 diately.

10 Revision of laws: For preparation and editing of the
11 laws as authorized by the Act approved May 29, 1928
12 (1 U. S. C. 59), \$8,000, to be expended under the
13 direction of the Committee on Revision of the Laws.

14 *For preliminary work in connection with the preparation*
15 *of a new edition of the United States Code, including the*
16 *correction of errors as authorized by the Act approved March*
17 *2, 1929 (45 Stat. 1541), \$100,000, to be expended under*
18 *the supervision of the Committee on the Revision of the Laws.*

19 Clerk's office, special assistance: For assistants in com-
20 piling lists of reports to be made to Congress by public
21 officials; compiling copy and revising proofs for the House
22 portion of the Official Register; preparing and indexing the
23 statistical reports of the Clerk of the House; compiling the
24 telephone and Members' directories; preparing and index-
25 ing the daily calendars of business; preparing the official

1 statement of Members' voting records; preparing lists of
2 congressional nominees and statistical summary of elections;
3 preparing and indexing questions of order printed in the
4 Appendix to the Journal pursuant to House Rule III;
5 for recording and filing statements of political committees
6 and candidates for election to the House of Representatives
7 pursuant to the Federal Corrupt Practices Act, 1925 (2
8 U. S. C. 241-256); and for such other assistance as the
9 Clerk of the House may deem necessary and proper in
10 the conduct of the business of his office, \$4,500: *Provided*,
11 That no part of this appropriation shall be used to augment
12 the annual salary of any employee of the House of
13 Representatives.

14 Speaker's automobile: For exchange, driving, mainte-
15 nance, repair, and operation of an automobile for the Speaker,
16 \$4,000.

17 CAPITOL POLICE

18 Salaries: Captain, \$2,700; three lieutenants, at \$1,740
19 each; special officer, \$1,740; three sergeants, at \$1,680
20 each; fifty-two privates, at \$1,620 each; one-half of said
21 privates to be selected by the Sergeant at Arms of
22 the Senate and one-half by the Sergeant at Arms of the
23 House; in all, \$98,940: *Provided*, That no part of any
24 appropriation contained in this Act shall be paid as com-
25 pensation to any person appointed after June 30, 1935, as

1 and officer or member of the Capitol Police (including those
2 for the Senate and House Office Buildings) who does not
3 meet the standards to be prescribed for such appointees by
4 the Capitol Police Board: *Provided further*, That the
5 Capitol Police Board is hereby authorized to detail police
6 from the House and Senate Office Buildings for police duty
7 on the Capitol Grounds.

8 General expenses: For purchasing and supplying uni-
9 forms, purchase, exchange, maintenance, and repair of motor-
10 propelled passenger-carrying vehicles, contingent expenses,
11 including \$25 per month for extra services performed by a
12 member of such force for the Capitol Police Board,
13 \$9,400.

14 Capitol Police Board: To enable the Capitol Police
15 Board to provide additional protection during the present
16 emergency for the Capitol Buildings and Grounds, including
17 the Senate and House Office Buildings and the Capitol Power
18 Plant, \$55,000. Such sum shall only be expended for
19 payment for salaries and other expenses of personnel de-
20 tailed from the Federal Bureau of Investigation, the Secret
21 Service of the Treasury Department, and the Metropolitan
22 Police of the District of Columbia, and the heads of such
23 agencies and the Commissioners of the District of Columbia
24 are authorized and directed to make such details upon the
25 request of the Board. Personnel so detailed shall, during the

1 period of such detail, serve under the direction and instruc-
2 tions of the Board and is authorized to exercise the same
3 authority as members of such Metropolitan Police and mem-
4 bers of the Capitol Police and to perform such other duties
5 as may be assigned by the Board. Reimbursement for
6 salaries and other expenses of such detailed personnel shall be
7 made to the Federal agency or the government of the Dis-
8 trict of Columbia, respectively, and any sums so reimbursed
9 shall be credited to the appropriation or appropriations from
10 which such salaries and expenses are payable and be avail-
11 able for all the purposes thereof: *Provided*, That any person
12 detailed under the authority of this paragraph or under simi-
13 lar authority in the Legislative Branch Appropriation Act,
14 1942, and the Second Deficiency Appropriation Act, 1940,
15 from the Metropolitan Police of the District of Columbia
16 shall be deemed a member of such Metropolitan Police dur-
17 ing the period or periods of any such detail for all purposes
18 of rank, pay, allowances, privileges, and benefits to the same
19 extent as though such detail had not been made, and at the
20 termination thereof any such person who was a member of
21 such police on July 1, 1940, shall have a status with respect
22 to rank, pay, allowances, privileges, and benefits which is
23 not less than the status of such person in such police at the
24 end of such detail.

25 One-half of the foregoing amounts under "Capitol Police"

1 shall be disbursed by the Secretary of the Senate and one-
2 half by the Clerk of the House.

3 JOINT COMMITTEE ON PRINTING

4 Salaries: Clerk, \$4,000 and \$800 additional so long as
5 the position is held by the present incumbent; inspector un-
6 der section 20 of the Act approved January 12, 1895 (44
7 U. S. C. 49), \$2,820; assistant clerk and stenographer,
8 \$2,640; for expenses of compiling, preparing, and indexing
9 the Congressional Directory, \$1,600; in all, \$11,860, one-
10 half to be disbursed by the Secretary of the Senate and the
11 other half to be disbursed by the Clerk of the House.

12 OFFICE OF LEGISLATIVE COUNSEL

13 Salaries and expenses: For salaries and expenses of
14 maintenance of the Office of Legislative Counsel, as author-
15 ized by law, \$83,000, of which \$42,000 shall be disbursed
16 by the Secretary of the Senate and \$41,000 by the Clerk of
17 the House of Representatives.

18 STATEMENT OF APPROPRIATIONS

19 For preparation, under the direction of the Committees
20 on Appropriations of the Senate and House of Representa-
21 tives of the statements for the first session of the Seventy-
22 eighth Congress, showing appropriations made, indefinite
23 appropriations, and contracts authorized, together with a
24 chronological history of the regular appropriation bills, as

1 period of such detail, serve under the direction and instruc-
2 tions of the Board and is authorized to exercise the same
3 authority as members of such Metropolitan Police and mem-
4 bers of the Capitol Police and to perform such other duties
5 as may be assigned by the Board. Reimbursement for
6 salaries and other expenses of such detailed personnel shall be
7 made to the Federal agency or the government of the Dis-
8 trict of Columbia, respectively, and any sums so reimbursed
9 shall be credited to the appropriation or appropriations from
10 which such salaries and expenses are payable and be avail-
11 able for all the purposes thereof: *Provided*, That any person
12 detailed under the authority of this paragraph or under simi-
13 lar authority in the Legislative Branch Appropriation Act,
14 1942, and the Second Deficiency Appropriation Act, 1940,
15 from the Metropolitan Police of the District of Columbia
16 shall be deemed a member of such Metropolitan Police dur-
17 ing the period or periods of any such detail for all purposes
18 of rank, pay, allowances, privileges, and benefits to the same
19 extent as though such detail had not been made, and at the
20 termination thereof any such person who was a member of
21 such police on July 1, 1940, shall have a status with respect
22 to rank, pay, allowances, privileges, and benefits which is
23 not less than the status of such person in such police at the
24 end of such detail.

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7 U. S. C. 49), \$2,820; assistant clerk and stenographer,
8 \$2,640; for expenses of compiling, preparing, and indexing
9 the Congressional Directory, \$1,600; in all, \$11,860, one-
10 half to be disbursed by the Secretary of the Senate and the
11 other half to be disbursed by the Clerk of the House.

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21 tives of the statements for the first session of the Seventy-
22 eighth Congress, showing appropriations made, indefinite
23 appropriations, and contracts authorized, together with a
24 chronological history of the regular appropriation bills, as

1 required by law, \$4,000, to be paid to the persons desig-
2 nated by the chairmen of such committees to do the work.

3 ARCHITECT OF THE CAPITOL

4 OFFICE OF THE ARCHITECT OF THE CAPITOL

5 Salaries: For the Architect of the Capitol, Assistant
6 Architect of the Capitol, and other personal services at rates
7 of pay provided by law; and the Assistant Architect of the
8 Capitol shall act as Architect of the Capitol during the
9 absence or disability of that official or whenever there is no
10 Architect; \$64,100.

11 Appropriations under the control of the Architect of the
12 Capitol shall be available for expenses of travel on official
13 business not to exceed in the aggregate under all funds the
14 sum of \$750.

15 CAPITOL BUILDINGS AND GROUNDS

16 Capitol Buildings: For necessary expenditures for the
17 Capitol Building and electrical substations of the Senate
18 and House Office Buildings, under the jurisdiction of the
19 Architect of the Capitol, including minor improvements.
20 maintenance, repair, equipment, supplies, material, fuel, oil,
21 waste, and appurtenances; furnishings and office equipment;
22 special clothing for workmen; waterproof wearing apparel;
23 personal and other services; cleaning and repairing works
24 of art; maintenance and driving of motor-propelled pas-
25 senger-carrying office vehicle; not exceeding \$300 for the

1 purchase of technical and necessary reference books, peri-
 2 odicals, and city directory; not to exceed \$150 for expenses
 3 of attendance, when specifically authorized by the Architect
 4 of the Capitol, at meetings or conventions in connection
 5 with subjects related to work under the Architect of the
 6 Capitol; and the compensation of the position of supervising
 7 engineer shall be at the rate of \$6,000 per annum so long
 8 as the position is held by the person who was the incumbent
 9 thereof on May 15, 1941; ~~\$289,200~~ \$291,000.

10 Capitol Grounds: For care and improvement of grounds
 11 surrounding the Capitol, Senate and House Office Buildings;
 12 Capitol Power Plant; personal and other services; care of
 13 trees; planting; fertilizers; repairs to pavements, walks, and
 14 roadways; purchase of waterproof wearing apparel; main-
 15 tenance of signal lights; and for snow removal by hire of
 16 men and equipment or under contract without compliance
 17 with section 3709 (41 U. S. C. 5) of the Revised Statutes,
 18 \$103,200.

19 Legislative garage: For maintenance, repairs, altera-
 20 tions, personal and other services, and all necessary inci-
 21 dental expenses, \$12,720.

22 Subway transportation, Capitol and Senate Office Build-
 23 ings: For repairs, rebuilding, and maintenance of the subway
 24 system connecting the Senate Office Building with the Sen-

1 ate wing of the United States Capitol and for personal and
 2 other services, including maintenance of the cars, track, and
 3 electrical equipment connected therewith, \$1,500.

4 Senate Office Building: For maintenance, miscellaneous
 5 items and supplies, including furniture, furnishings, and
 6 equipment, and for labor and material incident thereto, and
 7 repairs thereof; and for personal and other services, includ-
 8 ing four female attendants in charge of ladies' retiring rooms
 9 at \$1,500 each, for the care and operation of the Senate Office
 10 Building; to be expended under the control and supervision
 11 of the Architect of the Capitol; in all, ~~\$313,560~~ \$306,955:
 12 *Provided, That the unexpended balance on June 30, 1943,*
 13 *of the appropriation of \$7,300 for the maintenance of the*
 14 *Senate Office Building, contained in the Second Supplemental*
 15 *National Defense Appropriation Act, 1943, approved Octo-*
 16 *ber 26, 1942, shall continue available for the same purposes*
 17 *until June 30, 1944.*

18 House Office Buildings: For maintenance, including
 19 equipment, waterproof wearing apparel, miscellaneous items,
 20 and for all necessary services, \$390,200.

21 Capitol Power Plant: For lighting, heating, and power
 22 for the Capitol, Senate and House Office Buildings, Supreme
 23 Court Building, Congressional Library Buildings, and the
 24 grounds about the same, Botanic Garden, legislative garage,
 25 and folding and storage rooms of the Senate, and for air-

1 conditioning refrigeration not supplied from plants in any
 2 of such buildings; for heating the Government Printing
 3 Office and Washington City Post Office and for light and
 4 power therefor whenever available; personal and other serv-
 5 ices, engineering instruments, fuel, oil, materials, labor,
 6 advertising, and purchase of waterproof wearing apparel
 7 in connection with the maintenance and operation of the
 8 plant, \$765,600.

9 The appropriations under the control of the Architect of
 10 the Capitol may be expended without reference to section 4
 11 of the Act approved June 17, 1910 (41 U. S. C. 7), con-
 12 cerning purchases for executive departments.

13 The Government Printing Office and the Washington
 14 City Post Office shall reimburse the Capitol Power Plant for
 15 heat, light, and power whenever any such service is furnished
 16 during the fiscal year 1944, and the amounts so reimbursed
 17 shall be covered into the Treasury.

18 LIBRARY BUILDINGS AND GROUNDS

19 MECHANICAL AND STRUCTURAL MAINTENANCE

20 Salaries: For chief engineer and all personal services
 21 at rates of pay provided by law, \$98,300.

22 Salaries, Sunday opening: For extra services of
 23 employees and additional employees under the Architect of
 24 the Capitol to provide for the opening of the Library

1 Buildings on Sundays and on holidays, at rates to be fixed
2 by such Architect, \$7,300.

3 General repairs, and so forth: For necessary expendi-
4 tures for the Library Buildings and Grounds under the juris-
5 diction of the Architect of the Capitol, including minor im-
6 provements, maintenance, repair, equipment, supplies, water-
7 proof wearing apparel, material, and appurtenances, and
8 personal and other services in connection with the mechanical
9 and structural maintenance of such buildings and grounds,
10 \$25,000.

11 BOTANIC GARDEN

12 Salaries: For personal services (including not exceeding
13 \$3,000 for miscellaneous temporary labor without regard
14 to the Classification Act of 1923, as amended), \$82,000; all
15 under the direction of the Joint Committee on the Library.

16 Maintenance, operation, repairs, and improvements:
17 For all necessary expenses incident to maintaining, operat-
18 ing, repairing, and improving the Botanic Garden, and the
19 nurseries, buildings, grounds, and equipment pertaining
20 thereto, including procuring fertilizers, soils, tools, trees,
21 shrubs, plants, and seeds; materials and miscellaneous sup-
22 plies, including rubber boots and aprons when required for
23 use by employees in connection with their work; not to
24 exceed \$25 for emergency medical supplies; disposition of
25 waste; traveling expenses of the Director and his assistants

1 not to exceed \$250; street-car fares not exceeding \$25;
 2 office equipment and contingent expenses; the prevention
 3 and eradication of insect and other pests and plant diseases
 4 by purchase of materials and procurement of personal serv-
 5 ices by contract without regard to the provisions of any
 6 other Act; repair, maintenance, operation, purchase, and
 7 exchange of motortrucks, and maintenance, repair, and
 8 operation of a passenger motor vehicle; purchase of botan-
 9 ical books, periodicals, and books of reference, not to exceed
 10 \$100; repairs and improvements to Director's residence;
 11 and all other necessary expenses; all under the direction of
 12 the Joint Committee on the Library, \$21,000.

13 No part of the appropriations contained in this title for
 14 the Botanic Garden shall be used for the distribution, by con-
 15 gressional allotment, of trees, plants, shrubs, or other nursery
 16 stock.

17 LIBRARY OF CONGRESS

18 Salaries, Library, Proper: For the Librarian, the
 19 Librarian Emeritus, Chief Assistant Librarian, and other
 20 personal services, including special and temporary services
 21 and extra special services of regular employees (not exceed-
 22 ing \$5,000) at rates to be fixed by the Librarian, \$1,459,900.

23 COPYRIGHT OFFICE

24 Salaries: For the Register of Copyrights, assistant
 25 register, and other personal services, \$294,100.

LEGISLATIVE REFERENCE SERVICE

Salaries: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, and including not to exceed \$5,700 for employees engaged on piece work and work by the day or hour at rates to be fixed by the Librarian, \$148,300: *Provided*, That not more than \$20,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

DISTRIBUTION OF CARD INDEXES

Salaries and expenses: For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$234,100.

INDEX TO STATE LEGISLATION

Salaries and expenses: To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed \$2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, \$37,760.

SUNDAY OPENING

Salaries: To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, at rates to be fixed by the Librarian, \$15,000.

UNION CATALOGUES

Salaries and expenses: To continue the development and maintenance of the Union Catalogues including personal

1 services within and without the District of Columbia (and
2 not to exceed \$700 for special and temporary services, in-
3 cluding extra special services of regular employees, at rates
4 to be fixed by the Librarian), travel, necessary material and
5 apparatus, stationery, photostat supplies, and incidentals,
6 \$51,700.

7 INCREASE OF THE LIBRARY OF CONGRESS

8 General increase of Library: For purchase of books,
9 miscellaneous periodicals and newspapers, photo-copying
10 supplies and photo-copying labor, and all other material
11 for the increase of the Library, including payment in advance
12 for subscription books and society publications, and for
13 freight, commissions, and traveling expenses not to exceed
14 \$20,000, including expenses of attendance at meetings when
15 incurred on the written authority and direction of the
16 Librarian in the interest of collections, and all other expenses
17 incidental to the acquisition of books, miscellaneous periodi-
18 cals and newspapers, and all other material for the increase
19 of the Library, by purchase, gift, bequest, or exchange,
20 \$198,000, to continue available during the fiscal year 1945.

21 Increase of the law library: For the purchase of books
22 and for legal periodicals for the law library, including pay-
23 ment for legal society publications and for freight, commis-
24 sions, traveling expenses not to exceed \$2,500, including
25 expenses of attendance at meetings when incurred on the

1 written authority and direction of the Librarian in the inter-
2 est of collections, and all other expenses incidental to the
3 acquisition of lawbooks, and all other material for the increase
4 of the law library, \$95,000, to continue available during
5 the fiscal year 1945.

6 Books for the Supreme Court: For the purchase of
7 books and periodicals for the Supreme Court, to be a part
8 of the Library of Congress, and purchased by the Marshal
9 of the Supreme Court, under the direction of the Chief
10 Justice, \$20,000.

11 BOOKS FOR ADULT BLIND

12 To enable the Librarian of Congress to carry out the
13 provisions of the Act entitled "An Act to provide books for
14 the adult blind", approved March 3, 1931 (2 U. S. C.
15 135a), as amended, \$370,000, including not exceeding
16 \$20,000 for personal services and not exceeding \$500 for
17 necessary traveling expenses connected with such service
18 and for expenses of attendance at meetings when incurred
19 on the written authority and direction of the Librarian.

20 PRINTING AND BINDING

21 General printing and binding: For miscellaneous print-
22 ing and binding for the Library of Congress, including the
23 Copyright Office, and the binding, rebinding, and repairing
24 of library books, and for the Library Buildings, \$270,000.

25 Printing the Catalogue of Title Entries of the Copyright

1 Office: For the publication of the Catalogue of Title Entries
 2 of the Copyright Office and the decisions of the United States
 3 courts involving copyright, \$30,000.

4 Printing catalog cards: For the printing of catalog cards
 5 and of miscellaneous publications relating to the distribution
 6 of card indexes, \$260,000.

7 CONTINGENT EXPENSES OF THE LIBRARY

8 For miscellaneous and contingent expenses, stationery,
 9 office supplies, stock and materials directly purchased,
 10 miscellaneous traveling expenses, postage, transportation,
 11 incidental expenses connected with the administration of the
 12 Library and Copyright Office, including not exceeding \$500
 13 for expenses of attendance at meetings when incurred on
 14 the written authority and direction of the Librarian,
 15 \$20,800.

16 For furniture, including the purchase of office and library
 17 equipment, apparatus, and labor-saving devices, \$16,000,
 18 to be expended under the direction of the Librarian of Con-
 19 gress.

20 For personal services, paper, chemicals, and miscel-
 21 laneous supplies necessary for the operation of the photo-
 22 duplicating machines of the Library and the making of
 23 photoduplicate prints, \$26,700.

24 Security of collections: The unexpended balances of sums
 25 appropriated under this head in the First Deficiency Appro-

1 priation Act, 1942, to enable the Librarian to effect pre-
2 cautionary measures for the security of the collections of the
3 Library of Congress, including the objects specified there-
4 under, are hereby reappropriated and made available for the
5 fiscal year 1944.

6 LIBRARY BUILDINGS

7 Salaries: For the superintendent and other personal serv-
8 ices, in accordance with the Classification Act of 1923, as
9 amended, including special and temporary services and spe-
10 cial services of regular employees in connection with the
11 custody, care, and maintenance of the Library Buildings in
12 the discretion of the Librarian (not exceeding \$750) at rates
13 to be fixed by the Librarian, \$314,300.

14 For extra services of employees and additional em-
15 ployees under the Librarian to provide for the opening of
16 the Library Buildings on Sundays and on holidays, at
17 rates to be fixed by the Librarian, \$8,000, of which \$700
18 shall be available immediately.

19 For mail, delivery, including maintenance, operation,
20 and repair of a motor-propelled passenger-carrying vehicle,
21 telephone services, rubber boots, rubber coats, and other
22 special clothing for employees, uniforms for guards and
23 elevator conductors, medical supplies, equipment, and con-
24 tingent expenses for the emergency room, stationery, mis-
25 cellaneous supplies, and all other incidental expenses in

1 connection with the custody and maintenance of the Library
 2 Buildings, \$16,600: *Provided*, That any appropriations
 3 under the control of the Librarian of Congress may be ex-
 4 pended without reference to section 3709 of the Revised
 5 Statutes (41 U. S. C. 5) in any case when the total amount
 6 of the purchase involved does not exceed the sum of \$100.

7 LIBRARY OF CONGRESS TRUST FUND BOARD

8 For any expense of the Library of Congress Trust Fund
 9 Board not properly chargeable to the income of any trust
 10 fund held by the Board, \$100.

11 Not to exceed ten positions in the Library of Congress
 12 may be exempt from the provisions of section 205 of the
 13 Independent Offices Appropriation Act, 1944, but the Librar-
 14 ian shall not make any appointment to any such position
 15 until he has ascertained that he cannot secure for such ap-
 16 pointment a person in any of the three categories specified
 17 in such section 205 who possesses the special qualifications
 18 for the particular position and also otherwise meets the gen-
 19 eral requirements for employment in the Library of Congress.

20 GOVERNMENT PRINTING OFFICE

21 WORKING CAPITAL AND CONGRESSIONAL PRINTING AND

22 BINDING

23 To provide the Public Printer with a working capital for
 24 the following purposes for the execution of printing, binding,
 25 lithographing, mapping, engraving, and other authorized

1 work of the Government Printing Office for the various
2 branches of the Government: For salaries of Public Printer
3 and Deputy Public Printer; for salaries, compensation, or
4 wages of all necessary officers and employees additional to
5 those herein appropriated for, including employees necessary
6 to handle waste paper and condemned material for sale; to
7 enable the Public Printer to comply with the provisions of
8 law granting holidays and half holidays and Executive orders
9 granting holidays and half holidays with pay to employees;
10 to enable the Public Printer to comply with the provisions
11 of law granting leave to employees with pay, such pay to be
12 at the rate for their regular positions at the time the leave is
13 granted; rental of buildings and equipment; fuel, gas, heat,
14 electric current, gas and electric fixtures; bicycles, motor-
15 propelled vehicles for the carriage of printing and printing
16 supplies, and the maintenance, repair, and operation of the
17 same, to be used only for official purposes, including opera-
18 tion, repair, and maintenance of motor-propelled passenger-
19 carrying vehicles, for official use of the officers of the Govern-
20 ment Printing Office when in writing ordered by the Public
21 Printer; freight, expressage, telegraph and telephone service,
22 furniture, typewriters, and carpets; traveling expenses, in-
23 cluding not to exceed \$3,000 for attendance at meetings or
24 conventions when authorized by the Joint Committee on
25 Printing; stationery, postage and advertising; directories,

1 technical books, newspapers and magazines, and books of
2 reference (not exceeding \$500) ; adding and numbering
3 machines, time stamps, and other machines of similar char-
4 acter; rubber boots, coats, and gloves; machinery (not ex-
5 ceeding \$300,000) ; equipment, and for repairs to machinery,
6 implements, and buildings, and for minor alterations to build-
7 ings; necessary equipment, maintenance, and supplies for the
8 emergency room for the use of all employees in the Govern-
9 ment Printing Office who may be taken suddenly ill or
10 receive injury while on duty; other necessary contingent and
11 miscellaneous items authorized by the Public Printer; for
12 expenses authorized in writing by the Joint Committee on
13 Printing for the inspection of printing and binding equipment,
14 material, and supplies and Government printing plants in the
15 District of Columbia or elsewhere (not exceeding \$1,000) ;
16 for salaries and expenses of preparing the semimonthly and
17 session indexes of the Congressional Record under the direc-
18 tion of the Joint Committee on Printing (chief indexer at
19 \$3,480, one cataloger at \$3,180, two catalogers at \$2,460
20 each, and one cataloger at \$2,100) ; and for all the necessary
21 labor, paper, materials, and equipment needed in the prosecu-
22 tion and delivery and mailing of the work; in all, \$7,225,000;
23 to which sum shall be charged the printing and binding au-
24 thorized to be done for Congress including supplemental and
25 deficiency estimates of appropriations; the printing, binding,

1 and distribution of the Federal Register in accordance with
2 the Act approved July 26, 1935 (44 U. S. C. 301-317)
3 (not exceeding \$400,000) ; for the printing and binding of
4 a cumulative supplement to the Code of Federal Regula-
5 tions as authorized by the Act approved December 10,
6 1942 (Public Law 796, Seventy-seventh Congress, not
7 exceeding \$165,000; the printing and binding for use of
8 the Government Printing Office; the printing and binding
9 (not exceeding \$3,000) for official use of the Architect
10 of the Capitol upon requisition of the Secretary of the
11 Senate; in all to an amount not exceeding \$4,225,000: *Pro-*
12 *vided*, That not less than \$3,000,000 of such working capital
13 shall be returned to the Treasury as an unexpended balance
14 not later than six months after the close of the fiscal year
15 1944: *Provided further*, That notwithstanding the provisions
16 of section 73 of the Act of January 12, 1895 (44 U. S. C.
17 241), no part of the foregoing sum of \$4,225,000 shall be
18 used for printing and binding part 2 of the annual report of
19 the Secretary of Agriculture (known as the Yearbook of
20 Agriculture).

21 Printing and binding for Congress chargeable to the
22 foregoing appropriation, when recommended to be done by
23 the Committee on Printing of either House, shall be so recom-
24 mended in a report containing an approximate estimate of
25 the cost thereof, together with a statement from the Public

1 Printer of estimated approximate cost of work previously
2 ordered by Congress within the fiscal year for which this
3 appropriation is made.

4 During the fiscal year 1944 any executive depart-
5 ment or independent establishment of the Government
6 ordering printing and binding from the Government Printing
7 Office shall pay promptly by check to the Public Printer upon
8 his written request, either in advance or upon completion of
9 the work, all or part of the estimated or actual cost thereof,
10 as the case may be, and bills rendered by the Public Printer
11 in accordance herewith shall not be subject to audit or cer-
12 tification in advance of payment: *Provided*, That proper ad-
13 justments on the basis of the actual cost of delivered work
14 paid for in advance shall be made monthly or quarterly and
15 as may be agreed upon by the Public Printer and the depart-
16 ment or establishment concerned. All sums paid to the
17 Public Printer for work that he is authorized by law to do
18 shall be deposited to the credit, on the books of the Treasury
19 Department, of the appropriation made for the working cap-
20 ital of the Government Printing Office for the year in which
21 the work is done, and be subject to requisition by the Public
22 Printer.

23 No part of any money appropriated in this Act shall be
24 paid to any person employed in the Government Printing
25 Office while detailed for or performing service in the execu-

1 tive branch of the public service of the United States unless
 2 such detail be authorized by law.

3 OFFICE OF SUPERINTENDENT OF DOCUMENTS

4 Salaries: For the Superintendent of Documents, assistant
 5 superintendent, and other personal services in accordance
 6 with the Classification Act of 1923, as amended, and com-
 7 pensation of employees paid by the hour who shall be subject
 8 to the provisions of the Act entitled "An Act to regulate
 9 and fix rates of pay for employees and officers of the Govern-
 10 ment Printing Office", approved June 7, 1924 (44 U. S. C.
 11 40), \$852,500.

12 General expenses: For furniture and fixtures, type-
 13 writers, carpets, labor-saving machines and accessories, time
 14 stamps, adding and numbering machines, awnings, cur-
 15 tains, books of reference; directories, books, miscellaneous
 16 office and desk supplies, paper, twine, glue, envelopes,
 17 postage, carfares, soap, towels, disinfectants, and ice; dray-
 18 age, express, freight, telephone, and telegraph service;
 19 traveling expenses (not to exceed \$200); repairs to build-
 20 ings, elevators, and machinery; rental of equipment; pre-
 21 serving sanitary condition of building; light, heat, and
 22 power; stationery and office printing, including blanks,
 23 price lists, bibliographies, catalogs, and indexes; for sup-
 24 plying books to depository libraries; in all, \$345,000: *Pro-*
 25 *vided*, That no part of this sum shall be used to supply to

1 depository libraries any documents, books, or other printed
2 matter not requested by such libraries, and the requests
3 therefor shall be subject to approval by the Superintendent
4 of Documents: *Provided further*, That the Superintendent of
5 Documents shall furnish, from the quota that was printed for
6 sale, one complete set of Definitive Writings of George Wash-
7 ington to each Senator, Representative, Delegate, and
8 Resident Commissioner, serving during the Seventy-eighth
9 Congress, who makes written application therefor.

10 Purchases may be made from the foregoing appropriation
11 under the "Government Printing Office", as provided for in
12 the Printing Act approved January 12, 1895, and without
13 reference to section 4 of the Act approved June 17, 1910
14 (41 U. S. C. 7), concerning purchases for executive depart-
15 ments.

16 SEC. 102. In order to keep the expenditures for
17 printing and binding for the fiscal year 1944 within
18 or under the appropriations for such fiscal year, the heads
19 of the various executive departments and independent estab-
20 lishments are authorized to discontinue the printing of annual
21 or special reports under their respective jurisdictions: *Pro-*
22 *vided*, That where the printing of such reports is discontinued
23 the original copy thereof shall be kept on file in the offices of
24 the heads of the respective departments or independent estab-
25 lishments for public inspection.

1 SEC. 103. No part of the funds appropriated in this
2 title shall be used for the maintenance or care of private
3 vehicles.

4 SEC. 104. Whenever any office or position not spe-
5 cifically established by the Legislative Pay Act of 1929 is
6 specifically appropriated for in this title or whenever the
7 rate of compensation or designation of any position specifi-
8 cally appropriated for in this title is different from that
9 specifically established for such position by such Act, the
10 rate of compensation and the designation of the position, or
11 either, specifically appropriated for in this title, shall be the
12 permanent law with respect thereto; and the authority for
13 any position specifically established by such Act which is
14 not specifically appropriated for in this title shall cease to
15 exist.

16 SEC. 105. This title may be cited as the "Legislative
17 Branch Appropriation Act, 1944".

18 TITLE II—THE JUDICIARY

19 UNITED STATES SUPREME COURT

20 Salaries: For the Chief Justice and eight Associate Jus-
21 tices; Reporter of the Court; and all other officers and em-
22 ployees, whose compensation shall be fixed by the Court,
23 except as otherwise provided by law, and who may be
24 employed and assigned by the Chief Justice to any office or
25 work of the Court, \$484,200.

1 Preparation of rules for criminal proceedings: For all
2 expenses of the Supreme Court of the United States to pro-
3 vide for expenses of such advisory committee as may be
4 appointed by the Court to assist it in the preparation of
5 rules of pleading, practice, and procedure with respect to
6 criminal cases, pursuant to the Act entitled "An Act to give
7 the Supreme Court of the United States authority to pre-
8 scribe rules of pleading, practice, and procedure with respect
9 to proceedings in criminal cases prior to and including
10 verdict, or finding or plea of guilty", approved June 29,
11 1940 (54 Stat. 688), including personal services in the
12 District of Columbia and elsewhere and printing and binding,
13 to be expended as the Chief Justice in his discretion may
14 direct, including such per diem allowances in lieu of actual
15 expenses for subsistence at rates to be fixed by him not to
16 exceed \$10 per day, \$30,000, of which amount not to
17 exceed \$14,950 shall be immediately available.

18 The unexpended balance of the appropriation "Prepara-
19 tion of Rules for Civil Procedure, fiscal years 1942 and
20 1943", carried in the Sixth Supplemental National Defense
21 Appropriation Act, 1942, is hereby reappropriated and made
22 available for the fiscal year 1944.

23 Printing and binding: For printing and binding for the
24 Supreme Court of the United States, \$26,000, to be expended

1 as required without allotment by quarters, and to be executed
2 by such printer as the Court may designate.

3 Miscellaneous expenses: For miscellaneous expenses of
4 the Supreme Court of the United States, to be expended as
5 the Chief Justice may approve, \$27,000.

6 Structural and mechanical care of the building and
7 grounds: For such expenditures as may be necessary to
8 enable the Architect of the Capitol to carry out the duties
9 imposed upon him by the Act approved May 7, 1934 (40
10 U. S. C. 13a-13d), including improvements, maintenance.
11 repairs, equipment, supplies, materials, and appurtenances,
12 special clothing for workmen; purchase of waterproof wear-
13 ing apparel; and personal and other services, including tempo-
14 rary labor without reference to the Classification and Retire-
15 ment Acts, as amended, and for snow removal by hire of
16 men and equipment or under contract without compliance
17 with sections 3709 and 3744 of the Revised Statutes (41
18 U. S. C. 5, 16), \$68,000.

19 UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

20 Sixty per centum of the expenditures for the District
21 Court of the United States for the District of Columbia from
22 all appropriations under this title and 30 per centum of the
23 expenditures for the United States Court of Appeals for the
24 District of Columbia from all appropriations under this title

1 shall be reimbursed to the United States from any funds in
2 the Treasury to the credit of the District of Columbia.

3 Repairs and improvements, District Court of the United
4 States for the District of Columbia: For repairs and im-
5 provements to the courthouse, including repair and main-
6 tenance of the mechanical equipment, and for labor and
7 material and every item incident thereto, \$11,300, to be
8 expended under the direction of the Architect of the Capitol.

9 Repairs and improvements, United States Court of
10 Appeals for the District of Columbia: For repairs and im-
11 provements to the United States Court of Appeals Building,
12 including repair and maintenance of the mechanical equip-
13 ment, and for labor and material and every item incident
14 thereto, \$2,500, to be expended under the direction of the
15 Architect of the Capitol.

16 COURT OF CUSTOMS AND PATENT APPEALS

17 Salaries: Presiding judge and four associate judges and
18 all other officers and employees of the court, \$107,060.

19 Contingent expenses: For books and periodicals, includ-
20 ing their exchange; stationery, supplies, traveling expenses;
21 drugs, chemicals, cleansers, furniture; and for such other
22 miscellaneous expenses as may be approved by the presiding
23 judge, \$3,000.

24 Printing and binding: For printing and binding,
25 \$6,700.

UNITED STATES CUSTOMS COURT

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, \$236,500.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, \$13,500.

Printing and binding: For printing and binding, \$1,000.

COURT OF CLAIMS

Salaries: Chief justice and four judges, seven regular commissioners, and all other officers and employees of the court, \$208,000, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, traveling expenses, and other miscellaneous expenses, \$18,000.

1 Printing and binding: For printing and binding,
2 \$26,500.

3 Repairs and improvements: For necessary repairs and
4 improvements to the Court of Claims buildings, to be ex-
5 pended under the supervision of the Architect of the Capitol,
6 \$2,550.

7 TERRITORIAL COURTS

8 Hawaii: For salaries of the chief justice and two asso-
9 ciate justices of the Supreme Court of the Territory of
10 Hawaii, of judges of the circuit courts in Hawaii, and of
11 judges retired under the Act of May 31, 1938, \$103,500.

12 MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone) ; and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$3,222,500: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

23 Salaries of clerks of courts: For salaries of clerks of
24 United States circuit courts of appeals and United States

1 district courts, their deputies, and other assistants,
2 ~~\$2,542,900~~ \$2,570,280.

3 No part of any appropriation in this Act shall be used
4 to pay the cost of maintaining an office of the clerk of the
5 United States District Court at Anniston, Alabama; Florence,
6 Alabama; Jasper, Alabama; Gadsden, Alabama; Grand
7 Junction, Colorado; Montrose, Colorado; Durango, Colorado;
8 Sterling, Colorado; Newnan, Georgia; Benton, Illinois;
9 Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico;
10 Bryson City, North Carolina; Shelby, North Carolina; Ard-
11 more, Oklahoma; Guthrie, Oklahoma; Aberdeen, South
12 Dakota; Pierre, South Dakota; Deadwood, South Dakota;
13 Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or
14 Lander, Wyoming; but this paragraph shall not be so con-
15 strued as to prevent the detail during sessions of court of such
16 employees as may be necessary from other offices to the
17 offices named herein.

18 Probation system, United States courts: For salaries
19 of probation officers and their clerical assistants, as authorized
20 by the Act entitled "An Act to amend the Act of March 4,
21 1925, chapter 521, and for other purposes", approved June
22 6, 1930 (18 U. S. C. 726), \$956,800: *Provided*, That the
23 salary of no probation officer shall be less than \$1,800 per
24 annum nor more than \$3,600 per annum: *Provided further*,

1 That nothing herein contained shall be construed to abridge
2 the right of the district judges to appoint probation officers, or
3 to make such orders as may be necessary to govern proba-
4 tion officers in their own courts: *Provided further*, That no
5 part of this appropriation shall be used to pay the salary or
6 expenses of any probation officer who, in the judgment of
7 the senior or presiding judge certified to the Attorney Gen-
8 eral, fails to carry out the official orders of the Attorney
9 General with respect to supervising or furnishing informa-
10 tion concerning any prisoner released conditionally or on
11 parole from any Federal penal or correctional institution.

12 Fees of commissioners: For fees of the United States
13 commissioners and other committing magistrates acting un-
14 der section 1014, Revised Statutes (18 U. S. C. 591), in-
15 cluding fees and expenses of conciliation commissioners,
16 United States courts, including the objects and subject to the
17 conditions specified for such fees and expenses of conciliation
18 commissioners in the Department of Justice Appropriation
19 Act, 1937, \$350,000.

20 Fees of jurors: For mileage and per diems of jurors;
21 meals and lodging for jurors in United States cases when
22 ordered by the court, and meals and lodging for jurors in
23 Alaska, as provided by section 193, title II, of the Act of
24 June 6, 1900 (31 Stat. 362), and compensation for jury
25 commissioners, \$5 per day, not exceeding three days for any

1 one term of court, \$1,680,000: *Provided*, That the compen-
2 sation of jury commissioners for the District of Columbia shall
3 conform to the provisions of title 18, chapter 10, section 341,
4 of the Code of the District of Columbia, but such compensation
5 shall not exceed \$250 each per annum.

6 Miscellaneous salaries: For salaries of all officials and
7 employees of the Federal judiciary, not otherwise specifically
8 provided for, \$987,100: *Provided*, That the compensation
9 of secretaries and law clerks of district judges shall be fixed
10 by the Director of the Administrative Office of the United
11 States Courts without regard to the Classification Act of
12 1923, as amended, except that the salaries of secretaries,
13 exclusive of the differential allowed for higher living costs in
14 the Panama Canal Zone, shall not exceed that of the senior
15 clerical grade and the salaries of law clerks shall not exceed
16 that of the principal subprofessional grade: *Provided further*,
17 That none of this fund shall be used for the pay of a law
18 clerk appointed by a district judge unless the senior circuit
19 judge of the circuit (the District of Columbia being considered
20 a circuit) in which the district where the clerk is needed
21 is situated shall certify to the necessity of the appointment
22 \$1,137,100: *Provided*, That the compensation of secretaries
23 and law clerks to circuit and district judges shall be fixed by
24 the Director of the Administrative Office of the United States
25 Courts without regard to the Classification Act of 1923, as

1 *amended, except that the salaries of the secretaries, exclusive*
2 *of temporary additional compensation, and exclusive of the*
3 *differential allowed for higher living costs in the Panama*
4 *Canal Zone, shall correspond with those of the assistant*
5 *administrative grade (grade 7 of clerical, administrative and*
6 *fiscal service) and their basic salaries shall be adjusted by the*
7 *Director as of July 1, 1943, so that they are given credit for*
8 *one rate of \$100 in grade 7 for each eighteen months' prior*
9 *service as secretary to any Federal judge or other United*
10 *States Government official: Provided further, That the an-*
11 *nual basic compensation of the secretary to a circuit or district*
12 *judge shall not (exclusive of temporary additional compensa-*
13 *tion) exceed \$3,200: And provided further, That the salaries*
14 *of law clerks shall correspond with those of the assistant*
15 *professional grade.*

16 Miscellaneous expenses (other than salaries) : For such
17 miscellaneous expenses as may be authorized or approved by
18 the Director of the Administrative Office of the United States
19 Courts, for the United States courts and their officers, includ-
20 ing rent of rooms for United States courts and judicial officers;
21 supplies and equipment, including the exchange of type-
22 writing and adding machines, for the United States courts
23 and judicial officers, including firearms and ammunition
24 therefor; stenographic reporting services without regard to
25 section 3709, Revised Statutes, provided that the rates of

1 payment shall not exceed those fixed by the district court
2 pursuant to Rule 80 (b) Federal Rules of Civil Procedure,
3 in the jurisdiction of which the services are rendered; pur-
4 chase of lawbooks, including the exchange thereof, for United
5 States judges, and other judicial officers, including the libra-
6 ries of the United States circuit courts of appeals, and the
7 Federal Reporter and continuations thereto as issued,
8 ~~\$390,000~~ \$391,000: *Provided*, That such books shall in all
9 cases be transmitted to their successors in office; all books
10 purchased hereunder to be marked plainly, "The Property of
11 the United States": *Provided further*, That not to exceed \$2
12 per volume shall be paid for the current and future volumes
13 of the United States Code, Annotated, and that the reports
14 of the United States Court of Appeals for the District of
15 Columbia shall not be sold for a price exceeding that approved
16 by the court and for not more than \$6.50 per volume.

17 Traveling expenses: For all necessary traveling expenses,
18 not otherwise provided for, incurred by the Judiciary, includ-
19 ing traveling expenses of probation officers and their clerks,
20 and transfer of household goods and effects as provided by
21 the Act of October 10, 1940, \$540,000: *Provided*, That
22 this sum shall be available, in an amount not to exceed
23 \$4,000, for expenses of attendance at meetings concerned
24 with the work of Federal probation when incurred on the
25 written authorization of the Director of the Administrative

1 Office of the United States Courts: *Provided further*, That
2 United States probation officers may be allowed, in lieu of
3 actual expenses of transportation, not to exceed 4 cents per
4 mile for the use of their own automobiles for transportation
5 when traveling on official business within the city limits of
6 their official station.

7 Printing and binding: For printing and binding for the
8 Administrative Office and Courts of the United States,
9 \$89,000.

10 ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

11 Salaries: For the Director of the Administrative Office
12 of the United States Courts, the Assistant Director, and for
13 other personal services in the District of Columbia and else-
14 where, as may be necessary to enable the Director to carry
15 into effect the provisions of the Act entitled "An Act to
16 provide for the administration of the United States courts,
17 and for other purposes", approved August 7, 1939 (53
18 Stat. 1223), \$243,800: *Provided*, That in expending ap-
19 propriations or portions of appropriations contained in this
20 Act for the payment of personal services in the District of
21 Columbia, the Director shall fix compensation according to
22 the Classification Act of 1923, as amended.

23 Miscellaneous expenses: For stationery, supplies, ma-
24 terials and equipment, freight, express, and drayage charges,
25 washing towels, advertising, purchase of lawbooks and books

1 of reference, periodicals and newspapers, communication
2 service and postage; for the maintenance, repair, and oper-
3 ation of one motor-propelled delivery truck; for rent in the
4 District of Columbia, and elsewhere; for official traveling
5 expenses and other miscellaneous expenses not otherwise
6 provided for, necessary to effectively carry out the provisions
7 of the Act providing for the administration of the United
8 States Courts, and for other purposes, \$24,000: *Provided*,
9 That section 3709 of the Revised Statutes (41 U. S. C. 5)
10 shall not be construed to apply to any purchase or service
11 for the Administrative Office of the United States Courts
12 when the aggregate amount involved does not exceed the
13 sum of \$50.

14 SEC. 202. As used in this title, the term "circuit
15 court of appeals" includes the United States Court of Appeals
16 for the District of Columbia; the term "senior circuit judge"
17 includes the Chief Justice of the United States Court of
18 Appeals for the District of Columbia; the term "circuit judge"
19 includes associate justice of the United States Court of
20 Appeals for the District of Columbia; and the term "judge"
21 includes justice.

22 SEC. 203. No part of any appropriation contained in
23 this Title shall be used to pay in excess of \$2 per volume for
24 the current and future volumes of the United States Code

1 Annotated or in excess of \$3.25 per volume for the current
2 or future volumes of the Lifetime Federal Digest.

3 SEC. 204. This title may be cited as "The Judiciary
4 Appropriation Act, 1944".

5 TITLE III—GENERAL PROVISIONS

6 SEC. 301. No part of any appropriation contained
7 in this Act shall be paid to any person for the filling
8 of any position for which he or she has been nominated
9 after the Senate has voted not to approve of the nomination
10 of said person.

11 SEC. 302. No part of any appropriation contained
12 in this Act shall be used to pay the salary or wages
13 of any person who advocates, or who is a member of an
14 organization that advocates, the overthrow of the Govern-
15 ment of the United States by force or violence: *Provided*,
16 That for the purposes hereof an affidavit shall be considered
17 prima facie evidence that the person making the affidavit
18 does not advocate, and is not a member of an organization
19 that advocates, the overthrow of the Government of the
20 United States by force or violence: *Provided further*, That
21 any person who advocates, or who is a member of an organ-
22 ization that advocates, the overthrow of the Government of
23 the United States by force or violence and accepts employ-
24 ment, the salary or wages for which are paid from this appro-
25 priation contained in this Act, shall be guilty of a felony and,

1 upon conviction, shall be fined not more than \$1,000 or
2 imprisoned for not more than one year, or both: *Provided*
3 *further*, That the above penalty clause shall be in addition
4 to, and not in substitution for, any other provisions of existing
5 law.

6 SEC. 303. This Act may be cited as the "Legislative and
7 Judiciary Appropriation Act, 1944".

Passed the House of Representatives April 8, 1943.

Attest:

SOUTH TRIMBLE,

Clerk.

Calendar No. 224

78TH CONGRESS
1ST Session

H. R. 2409

[Report No. 222]

AN ACT

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

APRIL 9 (legislative day, April 6), 1943

Read twice and referred to the Committee on Appropriations

MAY 12, 1943

Reported with amendments

Calendar No. 224

78TH CONGRESS }
1st Session }

SENATE

{ REPORT
No. 222

LEGISLATIVE AND JUDICIARY APPROPRIATION BILL, 1944

MAY 12, 1943.—Ordered to be printed

MR. TYDINGS, from the Committee on Appropriations, submitted the
following

REPORT

[To accompany H. R. 2409]

The Committee on Appropriations, to whom was referred the bill (H. R. 2409) making appropriations for the legislative branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes, report the same to the Senate with various amendments and present herewith information relative to the changes made.

Amount of bill as passed House.....	\$40, 659, 273. 00
Amount of increase by Senate committee (net).....	284, 505. 00
Amount of bill as reported to Senate.....	40, 943, 778. 00
Amount of appropriations, 1943.....	43, 826, 092. 00
Amount of regular and supplemental estimates for 1944.....	41, 804, 350. 00
The bill as reported to the Senate—	
Under the estimates for 1944.....	860, 572. 00
Under the appropriations for 1943.....	2, 882, 314. 00

The changes in the amounts of the House bill recommended by the committee are as follows:

INCREASES AND LIMITATIONS

TITLE I. LEGISLATIVE BRANCH

SENATE

Office of the Secretary:

Assistant in library, increase of \$420 so long as position is held by present incumbent	\$420. 00
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Committee employees:

Assistant clerk, District of Columbia Committee	1, 800. 00
Assistant clerk, Foreign Relations Committee (in lieu of assistant clerk, now on resolution roll)	3, 000. 00
Total, committee employees	4, 800. 00

Clerical assistance to Senators:

It is recommended by the committee that the following language be stricken from the bill:

"Senators and chairmen of standing committees may rearrange or change the schedule of salaries and the number of employees in their respective offices or committees: *Provided*, That such changes shall not increase the aggregate of the salaries provided for such offices or committees by law or Senate resolution: *Provided further*, That no salary shall be fixed hereunder at a rate in excess of \$4,500 per annum and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$4,500: *Provided further*, That Senators and committee chairmen, on or before the first day of the month in which such changes are to become effective, shall certify in writing such changes or rearrangements to the disbursing office which shall thereafter pay such employees in accord with such changed schedule."

and insert in lieu thereof the following:

Senators and chairmen of standing committees may change the number of employees in their respective offices or committees, and may rearrange the schedule of basic salaries of such employees in multiples of five dollars per month: Provided, That such changes and rearrangements shall not increase the aggregate of the salaries provided for such offices or committees by law or Senate resolution: Provided further, That no salary shall be fixed under this paragraph at a rate in excess of \$4,500 per annum, and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$4,500 per annum: Provided further, That Senators and committee chairmen, before the day on which they are to become effective, shall certify in writing such changes or rearrangements to the disbursing office of the Senate which thereafter shall pay such employees in accordance with such certifications.

Office of Sergeant at Arms:

Clerk-----	\$3, 300. 00
Upholsterer and locksmith, change of title to chief cabinet-maker and increase of \$180 in salary-----	180. 00
Carpenter, change of title to cabinetmaker and increase of \$260 in salary-----	260. 00
Carpenter, change in title to finisher and increase of \$260 in salary-----	260. 00
Carpenter, change in title to upholsterer-----	
Clerk to Secretary of the minority \$120 so long as position is held by the present incumbent-----	120. 00
Janitor, increase of \$300 so long as the position is held by the present incumbent-----	300. 00

Total, Sergeant at Arms-----4, 420. 00

Reporting debates of Senate-----3, 410. 00

Joint Committee on Internal Revenue Taxation----5, 500. 00

Total increase, Senate-----18, 550. 00

HOUSE OF REPRESENTATIVES

Revision of laws, preparation of new edition of United States Code-----100, 000. 00

Architect of the Capitol:

Capitol Buildings:
Attendant transferred from Sergeant at Arms roll---1, 800. 00

Total increase, legislative branch-----120, 350. 00

DECREASES AND LIMITATIONS

TITLE I. LEGISLATIVE BRANCH

Office of Sergeant at Arms:

Clerk-----	\$2, 100. 00
Clerk-----	1, 500. 00
Laborers, 2 at \$1,260 each-----	2, 520. 00
Attendant at \$1,500 transferred to Architect's roll-----	1, 500. 00

Total, Office of Sergeant at Arms-----7, 620. 00

Architect of Capitol:

Maintenance of Senate Office Building-----6, 605. 00
It is recommended by the committee that the following language be added to the bill:

: Provided, That the unexpended balance on June 30, 1943, of the appropriation of \$7,300 for the maintenance of the Senate Office Building, contained in the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942, shall continue available for the same purposes until June 30, 1944

(Because there will be an unavoidable delay in carrying forward the work of converting the restaurant in the Senate Office Building into a cafeteria, part of the structural and mechanical work will have to be done in the fiscal year 1944. Therefore, it is necessary to continue the unexpended balance for another year.)

Total decrease, legislative branch-----	\$14, 225. 00
Total increase, legislative branch-----	120, 350. 00
Total decrease, legislative branch-----	14, 225. 00
Net increase, legislative branch-----	106, 125. 00
Amount of legislative bill as reported to Senate-----	28, 363, 988. 00

INCREASES

TITLE II. THE JUDICIARY

Salaries of clerks of courts-----	\$27, 380. 00
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It was stated that the House committee in reporting the bill to the House recommended the abolition of the office of deputy clerk of court in a number of small branch offices throughout the country and reduced the appropriation by \$27,380. On the floor of the House the recommendation of the committee with respect to the abolition of these offices was rejected but the cut in the appropriation was not restored. The effect of the amendment is to restore the cut.

It is recommended by the committee that the following paragraph be stricken from the bill:

"No part of any appropriation in this Act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or Lander, Wyoming; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein."

Miscellaneous salaries-----	150, 000. 00
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It is recommended by the committee that the following language be stricken from the bill:

"\$, \$987,100: *Provided*, That the compensation of secretaries and law clerks of district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of secretaries, exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall not exceed that of the senior clerical grade

and the salaries of law clerks shall not exceed that of the principal subprofessional grade: *Provided further*, That none of this fund shall be used for the pay of a law clerk appointed by a district judge unless the senior circuit judge of the circuit (the District of Columbia being considered a circuit) in which the district where the clerk is needed is situated shall certify to the necessity of the appointment."

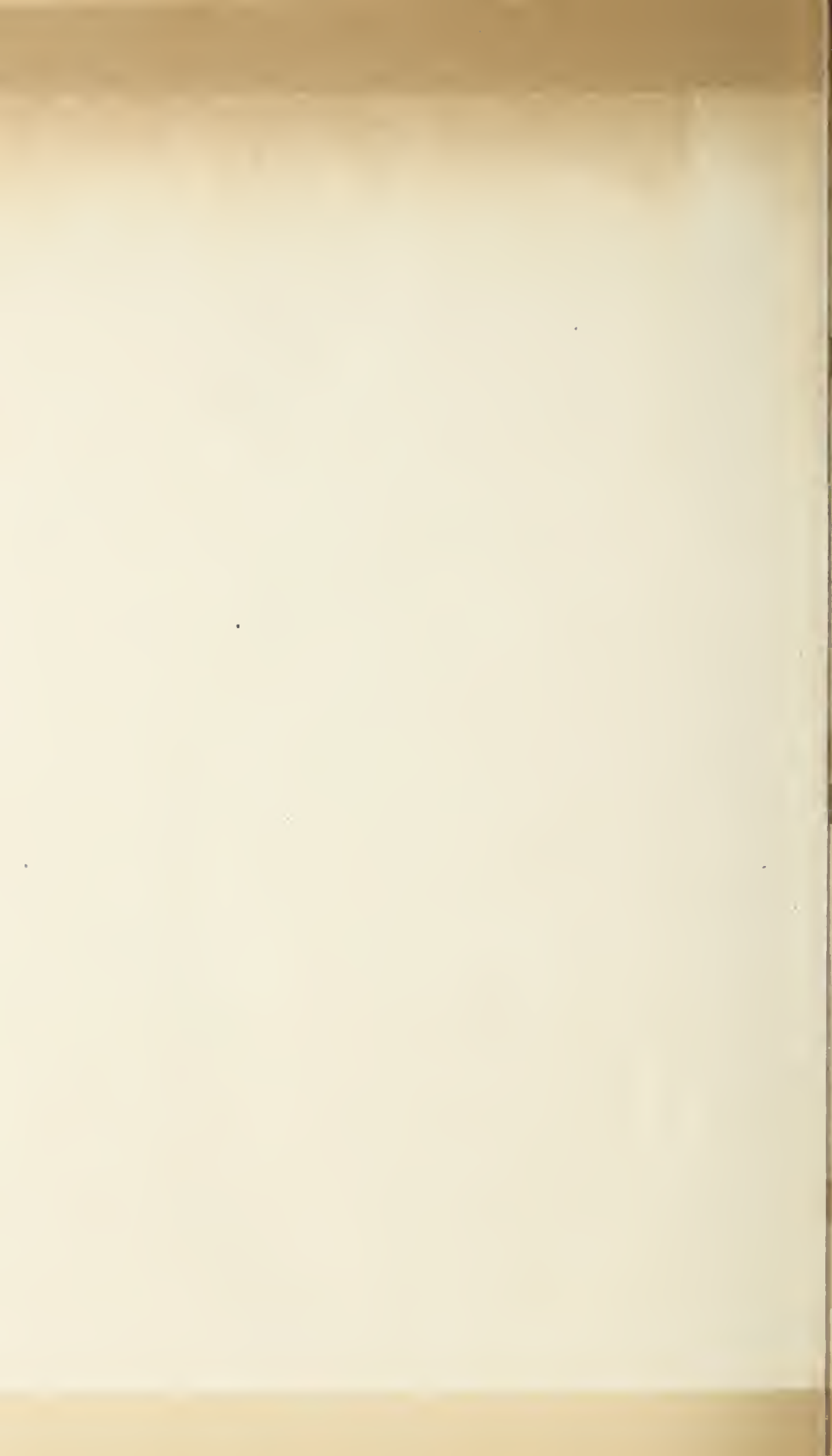
and insert in lieu thereof

\$1,137,100: Provided, That the compensation of secretaries and law clerks to circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of the secretaries, exclusive of temporary additional compensation, and exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall correspond with those of the assistant administrative grade (grade 7 of clerical, administrative and fiscal service) and their basic salaries shall be adjusted by the Director as of July 1, 1943, so that they are given credit for one rate of \$100 in grade 7 for each eighteen months' prior service as secretary to any Federal judge or other United States Government official: Provided further, That the annual basic compensation of the secretary to a circuit or district judge shall not (exclusive of temporary additional compensation) exceed \$3,200: And provided further, That the salaries of law clerks shall correspond with those of the assistant professional grade.

The amendment removes the discrimination of the secretaries of district judges by placing them in the same category with the secretaries to the circuit judges, and places both the secretaries of the circuit and district judges in a grade 7 classification with rates of compensation from \$2,600 in periodical adjustments for each 18 months' service to \$3,200. The bill as it passed the House, limits the salaries of secretaries to district judges to \$2,600 per annum (grade 5 senior clerical) and leaves out the limitation as to the secretaries of the circuit judges.

It classifies law clerks to judges (both circuit and district) to assistant professional grades with rates of compensation from \$2,600 to \$3,200. (Salaries are now limited by sec. 222 (a), title 28, U. S. C. A., to \$3,000.)

Miscellaneous expenses (other than salaries)-----	\$1, 000. 00
Total increase, the Judiciary-----	178, 380. 00
Amount of Judiciary bill as reported to Senate-----	12, 579, 790. 00
Total increase-----	298, 730. 00
Total decrease-----	14, 225. 00
Net increase-----	284, 505. 00
Amount of bill as reported to Senate:	
Legislative-----	28, 363, 988. 00
Judiciary-----	12, 579, 790. 00
Total-----	40, 943, 778. 00



and vital interest to the people of the United States.

I repeat, I have reason to believe that there are thousands upon thousands of soldiers and sailor boys as well as marines, and their officers, who would rather follow the course I have suggested. In the long run, Senators are not going to have to die; those who make the decisions will not have to die. Those in the armed services will have to die, if anyone dies, in the fighting, and they should have a chance, and strategy should be adopted which would give them a chance. I do not assert that any citizen of the United States is more or less anxious to win the war than I am, or more or less anxious to do it with the fewest number of losses, or in the best way, but I repeat that I am just as anxious as any of them, and just as much concerned. If in some way we can strengthen the arm of one who is making arrangements for our side so that he may prevail in the interest of the American people, and if I may have a small part in that success, I shall be very glad; and a small part is all that it will be, if any at all. But I will not let anybody divert me from the purpose I have, which is a good purpose. I think it is right. If I did not think so I would not do it.

Mr. SHIPSTEAD. Mr. President—

Mr. CHANDLER. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. I simply wanted to say, in connection with the statement of the Senator from Missouri, that, in enumerating the military adventures of Mr. Churchill, he failed to mention the expedition to Russia during the last war after Russia had been our ally. History has recorded that Churchill, more than anyone else, was responsible for the expedition not only to Archangel but to Vladivostok, and was joined by other former allies of Russia. Japan, France, and the United States joined Britain in that expedition at that time. We were told it was a question of saving the Russian people; afterward it was stated that it was in an effort to make the Kerensky government guarantee the loans which had been made by certain lending institutions in various countries. The expedition was not successful, but our boys died in the snows of Archangel and of Vladivostok.

Mr. CHANDLER. I have the greatest respect for Mr. Churchill. He is a Britisher; he is not an American. I think he represents vigorously, as he understands them, the best interests of the British Government. I recall that he wrote a number of books—While England Slept and others—in which he undertook to warn his people of the impending danger. They did not pay very much attention to him. It was an ironic incident that when it came to their darkest hour they called him to take them out of their trouble, and he has done a magnificent job.

I do not think Mr. Churchill represents the people of the United States on any council; I think he represents England, and the British Empire, and I do not blame him for that. I do not think Joe Stalin represents the people of the

United States on any council, and I do not think he will represent them if he becomes a member of any council. He will represent Russia, and do a good job of it. He is a realist; he really knows how to add! I like to deal with people who know how to add, and I like people to deal with me who know how to add, because such people know what the figures tell them and get the right answer.

Mr. LUCAS. Mr. President, will the Senator yield long enough to enable me to read the article by Mark Sullivan to which the Senator from Missouri referred? It will take about 5 minutes.

Mr. HATCH. Mr. President, before the Senator does that—

Mr. CHANDLER. I wish the Senator from Illinois would do that in his own time. I do not want it in my speech. I read it, and if I had wanted it in my speech I would have brought it here this morning.

Mr. LUCAS. I thought the Senator said in his talk to the Senator from Missouri that he would place it in the RECORD.

Mr. CHANDLER. I thought the Senator had placed it in the RECORD.

Mr. LUCAS. I wanted to read it, and I shall do so later.

Mr. CHANDLER. Let the Senator read it in his own time. I do not want it in my speech. I would have put it in my speech if I had so desired.

Mr. LUCAS. It contains a philosophy to which I subscribe.

Mr. HATCH. Mr. President, I am not familiar with the article the Senator has mentioned, but I want to ask the Senator a question. He is speaking about the representation of this country by Great Britain and by Russia, and he said Joe Stalin did not speak for the United States?

Mr. CHANDLER. I do not think so.

Mr. HATCH. I want to say to the Senator that the Russian armies which have been fighting German armies and have hurled them back in defeat have been representing the people of the United States bravely and well.

Mr. CHANDLER. I do not disagree with the Senator on that, and I have not said anything that would indicate any lack of appreciation for the magnificent job the Russian Army has done in defense of the country of Russia. If we got the benefit of it, as I think we did, I have not the slightest disposition to take a single bit of credit away not only from Joe Stalin, but from all the Russian armies for the fight which they have made. I hope they will continue it. But they have not fought Japan as yet. If they will fight Japan for us, then I shall be glad to advocate that we do something in the direction of Germany. At the moment, if they will fight Japan or if they will give us bases in their territory so that we can bomb Japan, I will be much more enthusiastic about it.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. CHANDLER. I yield.

Mr. MURDOCK. In the discussions I have heard during the course of the Senator's speech this afternoon, I have heard the Generalissimo referred to as being a

great leader and a great representative of the Chinese people.

Mr. CHANDLER. Yes; I think he is.

Mr. MURDOCK. I have heard the Senator say time and time again, and I have heard other Senators mention the fact, that Churchill is over here representing Great Britain and the British Empire and the people of the British Empire. I have heard the fact referred to that Stalin is representing the Russian people and the great Russian Empire. I have not heard mentioned up to this time the name of the great leader who is representing the United States and the people of the United States.

Mr. CHANDLER. Wait a moment. The Senator did not hear my speech.

Mr. MURDOCK. Let me say—

Mr. CHANDLER. Wait a moment; I do not want any more along that line; that is as far as I want the Senator to go. I knew before he got up what he was going to say. He did not listen to my speech. If he had done so, he would know that I started out by saying that I wanted to strengthen the hands of the President of the United States. I do not yield to any other Member of the Senate, either on the Democratic side or the Republican side, in loyal support to him in his effort to prepare this country before we got into the war and to fight it after we got into the war. I claim now that he is doing a good job, and I want his hands strengthened. The Senator did not hear that part of my speech. If he had been here, he would have heard it, for it is in my speech.

Mr. MURDOCK. Will the Senator yield for an observation?

Mr. CHANDLER. I yield.

Mr. MURDOCK. I am very sorry I have not heard every word the Senator said.

Mr. CHANDLER. So am I.

Mr. MURDOCK. I apologize to him that on two occasions I had to leave the Chamber briefly. I wish to say now that when he speaks of our own great leader he should bear in mind, and so should every other Senator, that of all the leaders in the world today he is the only one who is chosen by the people whom he represents. I am exceedingly proud of the last statement the Senator from Kentucky made—that he wants to strengthen the hands of that great leader, who, in my opinion, is greater than all the others put together.

Mr. CHANDLER. I want him strengthened so that he can show it. Woodrow Wilson was the greatest leader in the world at that time, and very few people disagreed until, as the boy used to say in Kentucky, the butcher cut him down.

Mr. LUCAS. He was not upheld in the Senate.

Mr. CHANDLER. No; he lost his influence before he got back here, and every student of history knows it. I have said before, and I repeat, the Senator from Utah, who loves the President, has not supported him any more wholeheartedly than I have in his plans and program, not only as he sought to prepare them before we got into the war, but vigorously to prosecute it since we have been in it.

Mr. President, I am not going to suggest what Admiral King, President Roosevelt, Prime Minister Churchill, General Marshall, or General Arnold should do on this eventful occasion. They have done an excellent job to date. So far as the Senator from Illinois is concerned, he is willing to leave the decision of such questions to the judgment of the military and naval men.

Mr. HILL. Does the Senator think that any man in the Senate of the United States, or outside the Senate of the United States, who is not participating in the conference, with all the facts and the full picture before him, with the complete story of the situation in every part of the world as it affects this war, is in a position to make suggestions as to what should be done?

Mr. LUCAS. I can only answer for myself. I believe, as a Member of the Committee on Naval Affairs, I have as much knowledge of the situation as have most Senators. Yet under such conditions, if I were to attempt to lay down the strategy and map the plans for the future of this war, I should be hurting the war effort rather than helping it. I believe I would be doing my country a disservice.

APPROPRIATIONS FOR LEGISLATIVE BRANCH AND THE JUDICIARY

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland [Mr. TYDINGS] to proceed to the consideration of House bill 2409.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 2409) making appropriations for the legislative branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. TYDINGS. Mr. President, I wish briefly to say that this is the regular appropriation bill for the legislative branch and for the Judiciary. The amount of the bill as it passed the House was \$40,659,273.

The amount of increase by the Senate committee was \$284,505. The amount of the bill as reported to the Senate was \$40,943,778. The amount of the appropriation for 1943 was \$43,826,092. The amount of the regular and supplemental estimates for 1944 was \$41,804,350. The bill as reported to the Senate is \$860,572 less than the estimates for 1944. It is \$2,882,314 less than the appropriations for 1943.

So there is a considerable saving in the bill. The increase of \$284,505 granted by the Senate Committee on Appropriations deals for the most part with a \$100,000 item for the revision of the laws. Aside from that, the appropriations are purely routine.

The PRESIDING OFFICER. The clerk will proceed to state the amendments reported by the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Legislative Branch—Senate—Office of the Secretary," on page 3, in line 14, after the figures "\$1,440," to insert "and \$420 additional so long as the position is held by the present incumbent," and in line 20, after the words "in all," to strike out "\$150,020" and insert "\$150,440."

The amendment was agreed to.

The next amendment was, under the subhead "Committee employees," on page 5, line 2, after the figures "\$2,220," to strike out "additional clerk, \$1,800" and insert "two additional clerks at \$1,800 each,"; in line 19, after the figures "\$3,900," to insert "assistant clerk, \$3,000, in lieu of assistant clerk provided by Senate Resolution No. 321 (77th Cong.), agreed to December 15, 1942,"; and on page 7, line 19, after the words "in all," to strike out "\$507,740" and insert "\$512,540."

The amendment was agreed to.

The next amendment was, under the subhead "Clerical assistance to Senators," on page 8, after line 21, to strike out:

Senators and chairmen of standing committees may rearrange or change the schedule of salaries and the number of employees in their respective offices or committees: *Provided*, That such changes shall not increase the aggregate of the salaries provided for such offices or committees by law or Senate resolution: *Provided further*, That no salary shall be fixed hereunder at a rate in excess of \$4,500 per annum and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$4,500: *Provided further*, That Senators and committee chairmen, on or before the first day of the month in which such changes are to become effective, shall certify in writing such changes or rearrangements to the disbursing office which shall thereafter pay such employees in accord with such changed schedule.

And in lieu thereof to insert the following:

Senators and chairmen of standing committees may change the number of employees in their respective offices or committees, and may rearrange the schedule of basic salaries of such employees in multiples of \$5 per month: *Provided*, That such changes and rearrangements shall not increase the aggregate of the salaries provided for such offices or committees by law or Senate resolution: *Provided further*, That no salary shall be fixed under this paragraph at a rate in excess of \$4,500 per annum, and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$4,500 per annum: *Provided further*, That Senators and committee chairmen, before the day on which they are to become effective, shall certify in writing such changes or rearrangements to the disbursing office of the Senate which thereafter shall pay such employees in accordance with such certifications.

The amendment was agreed to.

The next amendment was, under the subhead "Office of Sergeant at Arms and Doorkeeper," on page 10, line 15, after the word "clerks," to insert "one, \$3,300,"; in line 16, after the figures "\$2,200," to strike out "one \$2,100,"; in line 19, after the figures "\$2,280," to insert "and \$120 additional so long as the position is held by the present incumbent"; in line 21,

before the words "assistant doorkeeper", to strike out the comma and "one \$1,500"; on page 11, line 4, after the figures "\$3,360," to strike out "upholsterer and locksmith, \$2,600; cabinetmaker, \$2,040; three carpenters at \$2,040 each;" and insert "cabinetmakers—chief, \$2,780; one, \$2,300; one, \$2,040; finisher, \$2,300; upholsterer, \$2,040,"; in line 7, after the figures "\$2,400," to insert "and \$300 additional so long as the position is held by the present incumbent"; in line 14, after the word "each", to strike out "attendant authorized by S. Res. 252, adopted May 13, 1938, \$1,500,"; in line 24, after the word "each", where it occurs the first time, to strike out "thirty" and insert "twenty-eight", and on page 12, line 3, after the words "in all", to strike out "\$277,228" and insert "\$274,028."

The amendment was agreed to.

The next amendment was, on page 12, at the end of line 23, in the item for reporting Senate proceedings, to change the appropriation from \$66,340 to \$69,750.

The amendment was agreed to.

The next amendment was, on page 13, at the end of line 17, to strike out "\$30,000" and insert "\$35,500."

The amendment was agreed to.

The next amendment was, on page 13, after line 22, to strike out:

Senate restaurants: For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building, and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, \$35,000.

And in lieu thereof to insert the following:

Senate restaurants: For payment to the Architect of the Capitol in accordance with the act approved September 9, 1942 (Public Law 709, 77th Cong.), \$35,000.

The amendment was agreed to.

The next amendment was, under the heading "House of Representatives—Contingent Expenses of the House", on page 27, after line 13, to insert:

For preliminary work in connection with the preparation of a new edition of the United States Code, including the correction of errors as authorized by the act approved March 2, 1929 (45 Stat. 1541), \$100,000, to be expended under the supervision of the Committee on the Revision of the Laws.

The amendment was agreed to.

The next amendment was, under the heading "Architect of the Capitol—Capitol Buildings and Grounds", in the item for Capitol buildings on page 33, at the end of line 9, to strike out "\$289,200" and insert "\$291,000."

The amendment was agreed to.

The next amendment was, on page 34, line 11, after the words "in all", to strike out "\$313,560" and insert "\$306,955: *Provided*, That the unexpended balance on June 30, 1943, of the appropriation of \$7,300 for the maintenance of the Senate Office Building, contained in the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942, shall continue available for the same purposes until June 30, 1944."

The amendment was agreed to.

The next amendment was, under the heading "Title II, the judiciary, miscel-

laneous items of expense," on page 57, line 2, after the word "assistants", to strike out "\$2,542,900" and insert "\$2,570,280."

The amendment was agreed to.

The next amendment was, on page 57, after line 2, to strike out:

No part of any appropriation in this act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Ala.; Florence, Ala.; Jasper, Ala.; Gadsden, Ala.; Grand Junction, Colo.; Montrose, Colo.; Durango, Colo.; Sterling, Colo.; Newnan, Ga.; Benton, Ill.; Salina, Kans.; Chillicothe, Mo.; Roswell, N. Mex.; Bryson City, N. C.; Shelby, N. C.; Ardmore, Okla.; Guthrie, Okla.; Aberdeen, S. Dak.; Pierre, S. Dak.; Deadwood, S. Dak.; Ogden, Utah; Casper, Wyo.; Evanston, Wyo.; or Lander, Wyo.; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

The amendment was agreed to.

The next amendment was, on page 59, line 8, after the words "provided for", to strike out "\$987,100: *Provided*, That the compensation of secretaries and law clerks of district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of secretaries, exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall not exceed that of the senior clerical grade and the salaries of law clerks shall not exceed that of the principal subprofessional grade: *Provided further*, That none of this fund shall be used for the pay of a law clerk appointed by a district judge unless the senior circuit judge of the circuit (the District of Columbia being considered a circuit) in which the district where the clerk is needed is situated shall certify to the necessity of the appointment" and insert: "\$1,137,100: *Provided*, That the compensation of secretaries and law clerks to circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of the secretaries, exclusive of temporary additional compensation, and exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall correspond with those of the assistant administrative grade (grade 7 of clerical, administrative, and fiscal service) and their basic salaries shall be adjusted by the Director as of July 1, 1943, so that they are given credit for one rate of \$100 in grade 7 for each 18 months' prior service as secretary to any Federal judge or other United States Government official: *Provided further*, That the annual basic compensation of the secretary to a circuit or district judge shall not (exclusive of temporary additional compensation) exceed \$3,200: *And provided further*, That the salaries of law clerks shall correspond with those of the assistant professional grade."

The amendment was agreed to.

The next amendment was, on page 61, line 8, after the word "issued", to strike out "\$390,000" and insert "\$391,000."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. TYDINGS. Mr. President, I am authorized by the committee to offer from the floor an amendment which would require suspension of the rule. The amendment which I offer, as to which I gave notice, is more or less pro forma, but I should like to have it read, and then I will explain it very briefly.

The PRESIDING OFFICER. The amendment offered by the Senator from Maryland on behalf of the committee will be stated.

The CHIEF CLERK. On page 10, after line 3, it is proposed to insert the following:

Notwithstanding the provisions of the third paragraph under the heading "Clerical assistance to Senators" of section 1 of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (2 U. S. C. 92a), in the case of the death of a Senator during his term of office, his clerical assistants on the pay roll of the Senate on the date of such death shall be continued on such pay roll at their respective salaries for a period of not to exceed 60 days: *Provided*, That any such clerical assistants continued on the pay roll shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and he is hereby authorized and directed to remove from such pay roll any such clerks who are not attending to the duties for which their services are continued.

Mr. TYDINGS. Mr. President, when a Member of the Senate dies, it has been customary—

Mr. McNARY. Mr. President, I recall the statement which the Senator from Maryland made heretofore. It was very clear. I have no objection to the amendment.

Mr. TYDINGS. Mr. President, in order to protect the committee clerks from being included in this provision, it is necessary that there be a further proviso, which reads as follows:

Provided further, That this shall not apply to clerical assistants of standing committees of the Senate when their service otherwise would continue beyond such period.

I believe the proviso speaks for itself, and that no explanation is necessary.

The PRESIDING OFFICER. The amendment will be modified accordingly.

The question is on agreeing to the amendment offered by the Senator from Maryland, as modified.

The amendment, as modified, was agreed to.

Mr. MAYBANK. Mr. President, I offer the amendment, which I send to the desk. I ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

Terms of court at Greenwood, S. C.: Section 105 of the Judicial Code, as amended, is amended by striking out the words "at Greenwood the first Mondays in February and November", in the third paragraph thereof, and inserting in lieu thereof the words "at Greenwood the second Mondays in May and December."

Mr. TYDINGS. Mr. President, that amendment is satisfactory to the committee. The Senator from South Carolina has corresponded with the court and

has letters from the judges concerning the matter. The amendment would cost no money. It is merely an arrangement for hearings, and I can see no objection to it.

Mr. McNARY. Is that the amendment concerning which the Senator spoke to me earlier in the day?

Mr. MAYBANK. It merely provides for a change in the dates of the court, in the interest of the judges, the district attorney, and those who appear in court.

Mr. McNARY. I understand it is intended as an accommodation in the public interest.

Mr. MAYBANK. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina.

The amendment was agreed to.

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a letter addressed to me from Mr. Henry P. Chandler, Director of the Administrative Office of the United States Courts, under date of May 17, 1943.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR MAYBANK: I have just been informed that the United States attorney for the western district of South Carolina is desirous of changing the times of holding terms of the district court for that district in Greenwood, which are now designated by section 105 of the Judicial Code (title 28, U. S. C., sec. 186) as the first Mondays in February and November to the second Mondays in May and December. I am further informed that Judges Wyche and Timmerman, the United States district judges who hold the terms of court in the western district, join in recommending this change.

Although I have had no opportunity to confer about the proposed change with the judicial conference of senior circuit judges under which I act, it is a local matter and in view of the approval of the change by the district judges who are familiar with the conditions, I have no doubt that it is advisable. It would produce a more even spacing of the time between the winter or spring and fall terms of court and lessen the time which persons indicted under the present schedule after February in any year and unable to furnish bail may have to stay in jail awaiting trial.

Hon. John J. Parker, the senior circuit judge of the circuit, happens to be in my office this morning. I have therefore consulted him and he authorizes me to say that he approves the proposed change.

With kind regards, I am,

Sincerely yours,

HENRY P. CHANDLER.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment.

If there be no further amendments to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 2409) was read the third time and passed.

Mr. TYDINGS. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and

that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. TYDINGS, Mr. OVERTON, Mr. TRUMAN, Mr. GREEN, Mr. MALONEY, Mr. BRIDGES, and Mr. WHITE conferees on the part of the Senate.

EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT—STATEMENT BY SECRETARY OF STATE

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the statement by Hon. Cordell Hull, Secretary of State, before the Senate Finance Committee this morning on the Reciprocal Trade Agreements Act and the extension thereof.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

By this time, it should be crystal-clear to each and every one of us that during the interval between the two wars there were committed some of the most colossal blunders in the experience of the human race. Otherwise, the world would not be in its present critical position.

There never was a time, therefore, when it was more necessary for every one of us to examine and reexamine the nature and causes of mankind's tragic failure in the last two decades to build an enduring structure of law, peace, and prosperity. None of us, who prizes freedom and who has at heart our national interest for the sake of which we are now pouring out blood and treasure, can permit any preconceived notion, however long and strongly held, to stand in the way of an understanding of the crushing blunders of recent years and of resolute effort to make sure that such blunders will not recur in the future.

This is not the occasion for a thorough and comprehensive examination of this all-important matter in its entirety. But this is an eminently fit occasion for a discussion of one of its essential phases—the problem of international economic cooperation as an indispensable basis both for peace and for prosperity.

For the past 9 years the reciprocal-trade-agreements policy has been carried forward by cooperative action of the legislative and executive branches of the Government. It was originally enacted in 1934, and has been, since then, twice renewed. The House of Representatives, after exhaustive hearings and debate, has just voted, by an overwhelming nonpartisan majority, to renew it again.

In the course of the hearings held by the House Committee on Ways and Means I made a comprehensive statement of the essential considerations involved in the question which is before you. I shall not take your time to reiterate the points presented in it. But I should like, if I may, to dwell upon one or two of these points.

In making its decision at this time whether or not to renew the Trade Agreements Act, the Congress is faced with the first significant test of this country's basic attitude toward the future. The issue is whether or not our country is determined to cooperate with other peacefully inclined nations in economic matters.

After the last war, we, as a Nation, faced the same issue, and we have paid a terrible price for the fact that our answers to some of the questions raised by that issue were neither clear-cut nor consistent. Following the war of 1914-18, international economic relations soon fell into a pattern of rapidly narrowing nationalism. Recovery from the dislocations produced by that first world conflict imperatively required a revival and growth of international trade. Instead, the

nations of the world surrounded themselves with ever-mounting barriers to an exchange of goods across their boundaries. To that destructive piling up of trade restrictions, our country contributed its full share.

During the decade of the twenties, the evil effects of trade restrictions were somewhat mitigated and disguised by the vast volume of international loans. Our country supplied billions of dollars in loans, which enabled us to maintain our exports on a relatively high level while we were putting immense obstacles in the path of our imports.

That unhealthy situation could not continue long. And it did not. By the end of the first post-war decade, the structure of international trade became disrupted, and the resultant dislocation served as a powerful contributory factor to the general economic collapse which descended on our country and the world.

In the first bitter days of that profound depression, our country and other countries could think of no expedient, except to intensify and extend the very course of narrow economic nationalism which was so largely responsible for the tragic plight in which we found ourselves. Trade barriers rose to unprecedented heights. The structure of currency and credit was shattered. Countries resorted to a multiplying variety of economic weapons, and all suffered in consequence.

Fortunately for us and for the world, this country, after more than a decade of non-cooperation with others, at last had the vision and the courage to shift gears in the all-important field of commercial policy and to move in the opposite direction. That was the historic significance of the original enactment of the trade-agreements policy.

In the trade-agreements program we had a flexible and easily adjustable instrument for dealing with the two great obstacles to a healthy development of mutually beneficial international trade. The first of those obstacles was the immense variety of restrictions on imports—excessive tariffs, quotas, exchange controls, and many others. The second was the use of these devices in a discriminatory manner. By means of trade agreements, we sought to eliminate or diminish these destructive barriers. The trade-agreement method enabled us to accomplish the reduction of trade barriers in other countries through a reciprocal reduction of some of our own tariff rates. It enabled us, by the use of the most-favored-nation principle, to press for an abandonment of discriminatory practices. Amid the growing deterioration of all international relationships during the years which preceded the outbreak of the present war, the trade-agreement program was the most important single support for the hope that the nations might find a way toward cooperative action for the establishment and maintenance of peaceful international relations.

As we face the future, the renewal now of the Trade Agreements Act will have perhaps an even greater historic significance than that of its original adoption.

Our people are fully aware of that fact. For months past, in Congress and throughout the country, there has been discussion of the post-war world and of what should be our part in it, a free give and take of views and ideas in the best American tradition. This is as it should be. Only in this way can public opinion crystallize and the Congress be enabled accurately to register that opinion. We must chart the general direction of our post-war course, begin to make decisions on policies, necessarily leaving until later the working out of details in the better knowledge we will then have of specific conditions. Public opinion has not yet crystallized in regard to some aspects of the extent and nature of our cooperation with other like-minded nations with a view to making the world, after this war, both fruitful and secure. But

it has, I feel confident, overwhelmingly reached the conclusion that the minimum indication of our willingness to cooperate with others in the economic field to the mutual benefit of all would lie in the clean-cut extension of the trade-agreements program.

That program has served us well in the past 9 years. There has been an ample demonstration of its usefulness as an effective instrument for the promotion of mutually beneficial trade on a basis of fair dealing and nondiscrimination—the only possible basis of fruitful international cooperation in the economic field. It is thus a practical and tested method which the Congress has already endorsed twice since its original adoption, each time after an exhaustive appraisal of its results. The Congress is being asked, therefore, in making this first decision on post-war policies, not to commit the country to some new and untried experiment, but to reaffirm a proven program, sound in principle and in operation, and essential for a stable economic, political, and peace structure in the post-war years.

We know from bitter experience that trade between countries is the main foundation for any and all economic dealings between peoples. It provides the goods they need, and furnishes employment for industries suited to each country. If it is discouraged by cloudy political skies and mistrust, or made impossible by national shortsightedness, there is no possible sound basis for any of the other economic or financial dealings between the countries.

Without substantial trade, our shipping industry is certain to decline to small dimensions. Without substantial trade, any capital investment that we may undertake abroad would sooner or later end in disappointment and reproach. Without substantial trade, there cannot be certainty or stability in the monetary relationships between countries. These will always be subject to disturbances and disputes. The prospects for maintaining a coordinated international monetary system would be dimmed. Without substantial international trade, the future value of gold is certain to be in doubt, for countries will not indefinitely accumulate gold supplies unless they can freely obtain goods therefor. International trade is thus the key to all our international economic relations—and a powerful factor in our domestic prosperity as well.

The trade-agreements program is the sole practicable method by which we can hope to restore our post-war foreign trade to a healthy basis. It is a method of trade regulation through which obstacles to commerce can be removed with fullest regard for the position and interest of every branch of our production and the general interest of the Nation as a whole. Administered as it has been by experienced and disinterested officials, with infinite care and caution, it is the one method so far devised for constructive action in this vitally important field.

There is no possible effective alternative for it. Our history has shown how strong would be the tendency were the Trade Agreements Act discarded or crippled, to resort to the position of extreme and ruinous trade barriers. Any such course by this country at this time would spur on all countries in the world, many in greater difficulties than we ourselves, to place high barriers and restrictions about their own countries, provoke them into special arrangements from which we would be excluded—and as a consequence of these measures, destroy the interchange of needed goods by which all countries of the world can gradually repair the damage of the war and improve their economic condition.

In the conduct of our trade with the rest of the world and in the administration of the Trade Agreements Act, we, of course, take full and detailed account of our domestic

78TH CONGRESS
1ST SESSION

H. R. 2409

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 1943

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for the Legislative Branch and for the
Judiciary for the fiscal year ending June 30, 1944, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, for the Legis-
5 lative Branch and for the Judiciary for the fiscal year ending
6 June 30, 1944, namely:

1 TITLE I—LEGISLATIVE BRANCH

2 SENATE

3 SALARIES AND MILEAGE OF SENATORS

4 For compensation of Senators, \$960,000.

5 For mileage of the President of the Senate and of
6 Senators, \$51,000.7 For compensation of officers, clerks, messengers, and
8 others:

9 OFFICE OF THE VICE PRESIDENT

10 Salaries: For clerical assistance to the Vice President,
11 at rates of compensation to be fixed by him, \$11,460.

12 CHAPLAIN

13 Chaplain of the Senate, \$1,680.

14 OFFICE OF THE SECRETARY

15 Salaries: Secretary of the Senate, including compensa-
16 tion as disbursing officer of salaries of Senators and of
17 contingent fund of the Senate, \$8,000; Chief Clerk, who
18 shall perform the duties of reading clerk, \$5,500 and \$1,500
19 additional so long as the position is held by the present
20 incumbent; financial clerk, \$5,000 and \$1,000 additional
21 so long as the position is held by the present incumbent;
22 assistant financial clerk, \$4,500; Parliamentarian, \$5,000
23 and \$1,500 additional so long as the position is held by
24 the present incumbent; Journal Clerk, \$4,000 and \$500
25 additional so long as the position is held by the present in-

1 incumbent; principal clerk \$4,000; legislative clerk, \$4,000
 2 and \$1,000 additional so long as the position is held by
 3 the present incumbent; enrolling clerk, \$4,000; printing
 4 clerk, \$3,540 and \$460 additional so long as the position
 5 is held by the present incumbent; chief bookkeeper, \$3,600;
 6 librarian, \$3,600; executive clerk, \$3,180 and \$420 addi-
 7 tional so long as the position is held by the present in-
 8 cumbent; first assistant librarian, \$3,120; keeper of
 9 stationery, \$3,320; clerks—one at \$3,600, one at \$3,360,
 10 one at \$3,180, three at \$2,880 each, one at \$2,640 and
 11 \$660 additional so long as the position is held by the
 12 present incumbent, two at \$2,640 each, clerk in Disbursing
 13 Office, \$2,400, six at \$2,400 each, three at \$1,860 each,
 14 three at \$1,740 each; assistant in library, \$1,440 (1)and
 15 \$420 additional so long as the position is held by the present
 16 incumbent; special officer, \$2,460; assistants at the press
 17 door—one at \$2,200, one at \$1,900; messenger, \$1,260;
 18 laborers—one at \$1,800, one at \$1,620, four at \$1,440
 19 each, one at \$1,380, one in Secretary's office, \$1,680, one
 20 \$1,560, one, \$1,260; in all (2)\$150,020 \$150,440.

DOCUMENT ROOM

22 Salaries: Superintendent, \$3,960 and \$1,040 additional
 23 so long as the position is held by the present incumbent;
 24 first assistant, \$2,640; second assistant, \$2,040; four assist-

1 ants, at \$2,040 each; skilled laborer, \$1,380; in all,
2 \$19,220.

3 COMMITTEE EMPLOYEES

4 Clerks and messengers to the following committees:
5 Agriculture and Forestry—clerk, \$3,900; assistant clerk,
6 \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400;
7 assistant clerk, \$2,220; additional clerk, \$1,800. Appro-
8 priations—clerk, \$7,000 and \$1,000 additional so long as
9 the position is held by the present incumbent; assistant
10 clerk, \$4,800; assistant clerk, \$3,900; three assistant clerks
11 at \$3,000 each; two assistant clerks at \$2,220 each; mes-
12 senger, \$1,800. To Audit and Control the Contingent
13 Expenses of the Senate—clerk, \$3,900; assistant clerk,
14 \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220;
15 additional clerk, \$1,800. Banking and Currency—clerk,
16 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400;
17 assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assist-
18 ant clerk, \$2,400; assistant clerk, \$2,220; additional clerk,
19 \$1,800. Claims—clerk, \$3,900; assistant clerk, \$2,880; as-
20 sistant clerk, \$2,580; two assistant clerks at \$2,220 each.
21 Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant
22 clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks
23 at \$2,220 each. Conference Majority of the Senate—clerk,
24 \$3,900; assistant clerk, \$2,880; two assistant clerks at
25 \$2,580 each; assistant clerk, \$2,220. Conference Minority

1 of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two
 2 assistant clerks at \$2,580 each; assistant clerk, \$2,220. Dis-
 3 trict of Columbia—clerk, \$3,900; two assistant clerks at
 4 \$2,880 each; assistant clerk, \$2,220; ~~(3)~~additional clerk,
 5 ~~\$1,800~~ *two additional clerks at \$1,800 each*; additional
 6 clerical assistance at rates of compensation to be fixed
 7 by the chairman of said committee, \$6,000. Education
 8 and Labor—clerk, \$3,900; assistant clerk, \$2,580; as-
 9 sistant clerk, \$2,220; additional clerk, \$1,800. Enrolled
 10 Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 11 \$2,220; assistant clerk, \$1,800; additional clerk, \$1,800.
 12 Expenditures in the Executive Departments—clerk, \$3,900;
 13 assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 14 tional clerk, \$1,800. Finance—clerk, \$4,200 and \$500
 15 additional so long as the position is held by the pres-
 16 sent incumbent; special assistant to the committee, \$3,600;
 17 assistant clerk, \$2,880; assistant clerk, \$2,700; assist-
 18 ant clerk, \$2,400; two assistant clerks at \$2,220 each;
 19 two experts (one for the majority and one for the minority)
 20 at \$3,600 each; messenger, \$1,800. Foreign Relations—
 21 clerk, \$3,900; ~~(4)~~*assistant clerk, \$3,000, in lieu of assistant*
 22 *clerk provided by Senate Resolution Numbered 321 (Sev-*
 23 *enty-seventh Congress), agreed to December 15, 1942;*
 24 assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk,
 25 \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immi-

1 gratation—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk,
 2 \$2,220; additional clerk, \$1,800. Indian Affairs—clerk,
 3 \$3,900; assistant clerk, \$3,600 and \$1,400 additional so long
 4 as the position is held by the present incumbent; assistant clerk,
 5 \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; addi-
 6 tional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900;
 7 assistant clerk, \$2,580; assistant clerk, \$2,220; additional
 8 clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant
 9 clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at
 10 \$2,580 each; assistant clerk, \$2,220. Irrigation and Rec-
 11 lamation—clerk, \$3,900; assistant clerk, \$2,580; assistant
 12 clerk, \$2,220; two additional clerks at \$1,800 each. Judici-
 13 ary—clerk, \$3,900; assistant clerk, \$2,880; two assistant
 14 clerks at \$2,580 each; assistant clerk, \$2,220. Library—
 15 clerk, \$3,900; two assistant clerks at \$2,400 each; assistant
 16 clerk, \$2,220; additional clerk, \$1,800. Manufactures—
 17 clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,
 18 \$2,220; additional clerk, \$1,800. Military Affairs—clerk,
 19 \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; as-
 20 sistant clerk, \$2,400; two assistant clerks at \$2,220 each.
 21 Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400;
 22 assistant clerk, \$2,220; two additional clerks at \$1,800 each.
 23 Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assist-
 24 ant clerk, \$2,400; two assistant clerks at \$2,220 each. Pat-
 25 ents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk,

1 \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900;
 2 assistant clerk, \$2,580; four assistant clerks at \$2,220 each
 3 Post Offices and Post Roads—clerk, \$3,900; assistant clerk,
 4 \$2,880; assistant clerk, \$2,520; three assistant clerks at
 5 \$2,220 each; additional clerk, \$1,800. Printing—clerk,
 6 \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; addi-
 7 tional clerk, \$1,800. Privileges and Elections—clerk, \$3,900;
 8 assistant clerk, \$2,400; assistant clerk, \$2,220; addi-
 9 tional clerk, \$1,800. Public Buildings and Grounds—clerk,
 10 \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220;
 11 assistant clerk, \$2,000; additional clerk, \$1,800. Public
 12 Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880;
 13 assistant clerk, \$2,580; two assistant clerks at \$2,220 each.
 14 Rules—clerk, \$3,900 and \$200 toward the preparation bi-
 15 ennially of the Senate Manual under the direction of the Com-
 16 mittee on Rules; assistant clerk, \$2,880; assistant
 17 clerk, \$2,580; assistant clerk, \$2,220; additional clerk,
 18 \$1,800. Territories and Insular Affairs—clerk, \$3,900;
 19 assistant clerk, \$2,580; two assistant clerks at \$2,220 each;
 20 two assistant clerks at \$2,000 each; additional clerk,
 21 \$1,800; in all, ~~(5)\$507,740~~ \$512,540.

CLERICAL ASSISTANCE TO SENATORS

23 Clerical assistance to Senators who are not chairmen of
 24 the committees specially provided for herein, as follows:
 25 Seventy clerks at \$3,900 each; seventy assistant clerks at

1 \$2,400 each; and seventy assistant clerks at \$2,220 each;
 2 such clerks and assistant clerks shall be ex officio clerks and
 3 assistant clerks of any committee of which their Senator is
 4 chairman; seventy additional clerks at \$1,800 each, one for
 5 each Senator having no more than one clerk and two assistant
 6 clerks for himself or for the committee of which he is chair-
 7 man; messenger, \$1,800; in all, \$724,200.

8 Ninety-six additional clerks at \$1,800 per annum each,
 9 one for each Senator, \$172,800.

10 Ninety-six additional clerks at \$1,800 per annum each,
 11 one for each Senator, \$172,800.

12 Twenty-eight additional clerks at \$1,500 per annum
 13 each, one for each Senator from each State which has a popu-
 14 lation of three million or more inhabitants, \$42,000.

15 For three additional clerks at \$1,500 per annum each for
 16 each Senator from any State which has a population of ten
 17 million or more inhabitants, \$9,000; for two additional clerks
 18 at \$1,500 per annum each for each Senator from any State
 19 which has a population of five million or more inhabitants but
 20 less than ten million, \$36,000, in all, \$45,000: *Provided,*
 21 That such additional clerks shall be in addition to any other
 22 clerical assistance to which Senators are entitled, and shall
 23 be employed only during the period of the emergency.

24 (6) Senators and chairmen of standing committees may re-

1 arrange or change the schedule of salaries and the number
 2 of employees in their respective offices or committees: *Pro-*
 3 *vided*; That such changes shall not increase the aggregate of
 4 the salaries provided for such offices or committees by law
 5 or Senate resolution: *Provided further*, That no salary shall
 6 be fixed hereunder at a rate in excess of \$4,500 per annum
 7 and no action shall be taken to reduce any salary which is
 8 specifically fixed by law at a rate higher than \$4,500: *Pro-*
 9 *vided further*, That Senators and committee chairmen, on
 10 or before the first day of the month in which such changes
 11 are to become effective, shall certify in writing such changes
 12 or rearrangements to the disbursing office which shall there-
 13 after pay such employees in accord with such changed
 14 schedule.

15 *Senators and chairmen of standing committees may*
 16 *change the number of employees in their respective offices or*
 17 *committees, and may rearrange the schedule of basic salaries*
 18 *of such employees in multiples of \$5 per month: Provided,*
 19 *That such changes and rearrangements shall not increase the*
 20 *aggregate of the salaries provided for such offices or commit-*
 21 *tees by law or Senate resolution: Provided further, That no*
 22 *salary shall be fixed under this paragraph at a rate in excess*
 23 *of \$4,500 per annum, and no action shall be taken to reduce*
 24 *any salary which is specifically fixed by law at a rate higher*

1 than \$4,500 per annum: Provided further, That Senators
 2 and committee chairmen, before the day on which they are
 3 to become effective, shall certify in writing such changes or
 4 rearrangements to the disbursing office of the Senate which
 5 thereafter shall pay such employees in accordance with such
 6 certifications.

7 **(7)**Notwithstanding the provisions of the third paragraph
 8 under the heading "Clerical assistance to Senators" of section
 9 1 of the Legislative Appropriation Act for the fiscal year
 10 ending June 30, 1928 (2 U. S. C. 92a), in the case of the
 11 death of a Senator during his term of office, his clerical as-
 12 sistants on the pay roll of the Senate on the date of such
 13 death shall be continued on such pay roll at their respective
 14 salaries for a period of not to exceed sixty days: Provided,
 15 That any such clerical assistants continued on the pay roll
 16 shall, while so continued, perform their duties under the
 17 direction of the Secretary of the Senate, and he is hereby
 18 authorized and directed to remove from such pay roll any
 19 such clerks who are not attending to the duties for which
 20 their services are continued: Provided further, That this shall
 21 not apply to clerical assistants of standing committees of the
 22 Senate when their service otherwise would continue beyond
 23 such period.

24 In all, clerical assistance to Senators. \$1,156,800.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Salaries: Sergeant at Arms and Doorkeeper, \$8,000; two secretaries (one for the majority and one for the minority), at \$5,400 each and \$1,500 additional each so long as the respective positions are held by the present respective incumbents; two assistant secretaries (one for the majority and one for the minority), at \$4,320 each and \$480 additional each so long as the respective positions are held by the present respective incumbents; Deputy Sergeant at Arms and storekeeper, \$4,800 and \$1,000 additional so long as the position is held by the present incumbent; clerks—~~(8)~~one \$3,300, one \$3,120, one \$2,200, ~~(9)~~one \$2,100, one \$2,120, one \$1,800, one to the secretary for the majority, \$2,280 and \$120 additional so long as the position is held by the present incumbent, one to the secretary for the minority, \$2,280 ~~(10)~~and \$120 additional so long as the position is held by the present incumbent ~~(11)~~, ~~one \$1,500~~; assistant doorkeeper, \$2,880; messengers—three (acting as assistant doorkeepers) at \$2,400 each; one at \$1,740 and \$260 additional so long as the position is held by the present incumbent; twenty-nine (including four for minority) at \$1,740 each; four at \$1,620 each; one at card door, \$2,640, and \$240 additional so long as the position is held by the present incumbent; clerk on Journal work for Congressional Record to be selected by the Official

1 Reporters, \$3,360; (12) upholsterer and locksmith, \$2,600;
 2 cabinetmaker, \$2,040; three carpenters at \$2,040 each; cabi-
 3 netmakers—chief, \$2,780; one, \$2,300; one, \$2,040; finisher,
 4 \$2,300; upholsterer, \$2,040; janitor, \$2,400 (13) and \$300
 5 additional so long as the position is held by the present incum-
 6 bent; five skilled laborers, \$1,680 each; laborer in charge of
 7 private passage, \$1,740 and \$120 additional so long as the
 8 position is held by the present incumbent; four female attend-
 9 ants in charge of ladies' retiring rooms, at \$1,500 each; three
 10 female attendants in charge of ladies' retiring rooms, Senate
 11 Office Building, at \$1,500 each; (14) attendant authorized by
 12 S. Res. 252, adopted May 13, 1938, \$1,500; telephone opera-
 13 tors—chief \$2,460 and \$280 additional so long as the position
 14 is held by the present incumbent; fourteen at \$1,620 each;
 15 laborer in charge of Senate toilet rooms in old library space,
 16 \$1,200; press gallery—superintendent, \$3,660; assistant
 17 superintendent, \$3,000; assistant superintendent, \$1,920;
 18 messengers for service to press correspondents—two at \$1,560
 19 each, two at \$1,440 each; radio press gallery—superintend-
 20 ent, \$3,000; assistant superintendent, \$1,960; laborers—
 21 three at \$1,380 each, (15) ~~thirty~~ twenty-eight at \$1,260 each,
 22 three at \$480 each; special employees—seven at \$1,000
 23 each; twenty-one pages for the Senate Chamber, at the rate
 24 of \$4 per day each, during the session, \$15,288; in all
 25 (16) ~~\$277,228~~ \$274,028.

1 Police force for Senate Office Building under the Ser-
 2 geant at Arms: Lieutenant, \$1,740; special officer, \$1,740;
 3 three sergeants at \$1,680 each; twenty-eight privates at
 4 \$1,620 each; in all, \$53,880.

5 POST OFFICE

6 Salaries: Postmaster, \$3,600; assistant postmaster,
 7 \$2,880; chief clerk, \$2,460; wagon master, \$2,280; twenty-
 8 six mail carriers, at \$1,740 each; in all, \$56,460.

9 FOLDING ROOM

10 Salaries: Foreman, \$2,460 and \$540 additional so long
 11 as the position is held by the present incumbent; clerk,
 12 \$2,280; clerk, \$1,740; folders—chief, \$2,040, fourteen at
 13 \$1,440 each; in all, \$29,220.

14 CONTINGENT EXPENSES OF THE SENATE

15 Vice President's automobile: For purchase, exchange,
 16 driving, maintenance, and operation of an automobile for the
 17 Vice President, \$4,000.

18 Reporting Senate proceedings: For reporting the
 19 debates and proceedings of the Senate, payable in equal
 20 monthly installments, ~~(17)\$66,340~~ \$69,750.

21 Furniture: For services in cleaning, repairing, and
 22 varnishing furniture, \$2,000.

23 Furniture: For materials for furniture and repairs of
 24 same, exclusive of labor, and for the purchase of furniture,
 25 \$8,000.

1 Inquiries and investigations: For expenses of inquiries
 2 and investigations ordered by the Senate, including com-
 3 pensation to stenographers of committees, at such rate as
 4 may be fixed by the Committee to Audit and Control the
 5 Contingent Expenses of the Senate, but not exceeding 25
 6 cents per hundred words, \$150,000: *Provided*, That no
 7 part of this appropriation shall be expended for per diem
 8 and subsistence expenses except in accordance with the pro-
 9 visions of the Subsistence Expense Act of 1926, approved
 10 June 3, 1926, as amended.

11 Joint Committee on Internal Revenue Taxation: For
 12 payment of one-half of the salaries and other expenses of the
 13 Joint Committee on Internal Revenue Taxation as author-
 14 ized by law, (18)~~\$30,000~~ \$35,500.

15 Folding documents: For folding speeches and pamphlets
 16 at a rate not exceeding \$1 per thousand, \$18,000.

17 For materials for folding, \$1,500.

18 Fuel, and so forth: For fuel, oil, cotton waste, and
 19 advertising, exclusive of labor, \$2,000.

20 (19)Senate restaurants: For repairs, improvements, equip-
 21 ment, and supplies for Senate kitchens and restaurants,
 22 Capitol Building, and Senate Office Building, including per-
 23 sonal and other services, to be expended from the contingent
 24 fund of the Senate, under the supervision of the Committee
 25 on Rules, United States Senate, ~~\$35,000~~.

1 *Senate restaurants: For payment to the Architect of the*
 2 *Capitol in accordance with the Act approved September 9,*
 3 *1942 (Public Law 709, Seventy-seventh Congress), \$35,000.*

4 Motor vehicles: For maintaining, exchanging, and
 5 equipping motor vehicles for carrying the mails and for
 6 official use of the offices of the Secretary and Sergeant at
 7 Arms, \$8,760.

8 Miscellaneous items: For miscellaneous items, exclusive
 9 of labor, \$350,000.

10 Packing boxes: For packing boxes, \$970.

11 Postage stamps: For office of Secretary, \$350; office of
 12 Sergeant at Arms, \$150; in all, \$500.

13 Air-mail stamps: For air-mail stamps for Senators and
 14 the President of the Senate, as authorized by law, \$4,850

15 Stationery: For stationery for Senators and for the Presi-
 16 dent of the Senate, including \$7,500 for stationery for com-
 17 mittees and offices of the Senate, \$26,900.

18 Rent: For rent of warehouse for storage of public
 19 documents, \$2,000.

20 HOUSE OF REPRESENTATIVES

21 SALARIES AND MILEAGE OF MEMBERS

22 For compensation of Members of the House of Repre-
 23 sentatives, Delegates from Territories, and the Resident
 24 Commissioner from Puerto Rico, \$4,385,000.

25 For mileage of Representatives, the Delegate from

1 Hawaii and the Resident Commissioner from Puerto Rico,
2 and for expenses of the Delegate from Alaska, \$171,000.

3 For compensation of officers, clerks, messengers, and
4 others:

5 OFFICE OF THE SPEAKER

6 Salaries: Secretary to the Speaker, \$4,620; three clerks
7 to the Speaker, at \$2,400 each; messenger to Speaker,
8 \$1,680; in all, \$13,500.

9 THE SPEAKER'S TABLE

10 Salaries: Parliamentarian \$5,000, and \$2,500 additional
11 so long as the position is held by the present incumbent, and
12 for preparing Digest of the Rules, \$1,000 per annum; As-
13 sistant Parliamentarian, \$3,000 and \$1,500 additional so
14 long as the position is held by the present incumbent; mes-
15 senger to Speaker's table, \$1,740 and \$660 additional so
16 long as the position is held by the present incumbent; in
17 all, \$15,400.

18 CHAPLAIN

19 Chaplain of the House of Representatives, \$1,680, and
20 \$820 additional so long as the position is held by the present
21 incumbent.

22 OFFICE OF THE CLERK

23 Salaries: Clerk of the House of Representatives, in-
24 cluding compensation as disbursing officer of the contingent
25 fund, \$8,000; Journal clerk, two reading clerks, and tally

1 clerk, at \$5,000 each; enrolling clerk, \$4,000; disbursing
 2 clerk, \$3,960 and \$1,040 additional so long as the position
 3 is held by the present incumbent; file clerk, \$3,780; chief
 4 bill clerk, \$3,540; assistant enrolling clerk, \$3,900; assist-
 5 ant tally clerk, \$3,600; assistant reading clerk, \$3,600,
 6 to continue available under the limitations of House
 7 Resolution Numbered 241, adopted June 20, 1941; assistant
 8 to disbursing clerk, \$3,120; stationery clerk, \$2,880; librar-
 9 ian, \$2,760; assistant librarian and assistant file clerk, at
 10 \$2,520 each; assistant Journal clerk and assistant librarian,
 11 at \$2,460 each; clerks—one at \$2,460, four at \$2,340 each;
 12 bookkeeper and assistant in disbursing office, at \$2,160 each;
 13 assistant in disbursing office, \$1,800; three assistants to
 14 chief bill clerk at \$2,100 each; stenographer to the Clerk,
 15 \$2,500; assistant in stationery room, \$1,740; three mes-
 16 sengers at \$1,680 each; stenographer to Journal clerk,
 17 \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each;
 18 telephone operators—assistant chief, \$1,800, twenty-three
 19 at \$1,620 each; substitute telephone operator, when re-
 20 quired, at \$4 per day, \$1,464; property custodian and
 21 superintendent of furniture and repair shop, who shall be
 22 a skilled cabinetmaker or upholsterer and experienced in
 23 the construction and purchase of furniture, \$3,960; two
 24 assistant custodians at \$3,360 each; locksmith and type-

1 writer repairer, \$1,860; messenger and clock repairer,
 2 \$1,740; operation, maintenance, and repair of motor ve-
 3 hicles, \$1,200; in all, \$182,144.

4 COMMITTEE EMPLOYEES

5 Clerks, messengers, and janitors to the following com-
 6 mittees: Accounts—clerk, \$3,300; assistant clerk, \$2,460;
 7 janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk,
 8 \$2,460; janitor, \$1,560. Appropriations—clerk, \$7,000 and
 9 \$1,000 additional so long as the position is held by the pres-
 10 ent incumbent; assistant clerk, \$5,000 and \$2,500 additional
 11 so long as the position is held by the present incumbent;
 12 assistant clerk, \$3,900 and \$1,100 additional so long as the
 13 position is held by the present incumbent; two assistant clerks
 14 at \$3,900 each and \$600 each additional so long as the
 15 respective positions are held by the present respective
 16 incumbents; assistant clerk, \$3,900; assistant clerk, \$3,300
 17 and \$600 additional so long as the position is held by
 18 the present incumbent; additional clerical assistants at rates
 19 to be fixed by the chairman of the Committee on Appropria-
 20 tions, \$15,960; messenger, \$1,680; four clerk-stenographers
 21 at the annual rate of \$1,800 each, one for each subcommittee
 22 of the Committee on Appropriations having jurisdiction over
 23 a regular annual appropriation bill as shall be designated by
 24 the chairman of the Committee on Appropriations and to be
 25 appointed by the chairmen of the subcommittees so desig-

1 nated, subject to the approval of the chairman, \$7,200.
 2 Banking and Currency—clerk, \$2,760; assistant clerk,
 3 \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor,
 4 \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260.
 5 Claims—clerk, \$3,300; assistant clerk, \$2,460; assistant clerk,
 6 \$1,800; janitor, \$1,260. Coinage, Weights, and Measures—
 7 clerk, \$2,760; janitor, \$1,260. Disposition of Executive
 8 Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300;
 9 assistant clerk, \$2,460; janitor, \$1,260. Education—clerk,
 10 \$2,760; janitor, \$1,260. Election of the President, Vice
 11 President, and Representatives in Congress—clerk, \$2,760.
 12 Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elec-
 13 tions Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections
 14 Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled
 15 Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in the
 16 Executive Departments—clerk, \$3,300; janitor, \$1,260.
 17 Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Af-
 18 fairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260.
 19 Immigration and Naturalization—clerk, \$3,300; assistant
 20 clerk, \$2,400; janitor, \$1,260. Indian Affairs—clerk,
 21 \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular
 22 Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and For-
 23 eign Commerce—clerk, \$3,900; additional clerk, \$2,640;
 24 assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Rec-
 25 lamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—

1 clerk, \$3,300; assistant clerk, \$2,880; expert examiner,
 2 \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—
 3 clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980;
 4 janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk,
 5 \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor,
 6 \$1,260. Merchant Marine and Fisheries—clerk, \$2,760;
 7 assistant clerk, \$1,740; janitor, \$1,260. Military Affairs—
 8 clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560.
 9 Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval
 10 Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor,
 11 \$1,560. Patents—clerk, \$2,760; janitor, \$1,260. Pen-
 12 sions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260.
 13 Post Office and Post Roads—clerk, \$3,300; assistant clerk,
 14 \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor,
 15 \$1,560. Public Buildings and Grounds—clerk, \$3,300; as-
 16 sistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk,
 17 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision
 18 of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and
 19 Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor,
 20 \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740;
 21 janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk,
 22 \$2,100; clerk-stenographer, \$1,800; janitor, \$1,260. Ter-
 23 ritories—clerk, \$2,760; janitor, \$1,260. War Claims—clerk,
 24 \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and
 25 Means—clerk, \$4,620; assistant clerk, \$3,000; assistant clerk

1 and stenographer, \$2,640; assistant clerk, \$2,580; clerk for
 2 minority, \$3,180 and \$420 additional so long as the position
 3 is held by the present incumbent; janitors—one, \$1,560; two
 4 at \$1,260 each. World War Veterans' Legislation—clerk,
 5 \$3,300; assistant clerk, \$2,460; in all, \$337,600.

6 OFFICE OF SERGEANT AT ARMS

7 Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant
 8 at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant
 9 cashier, \$4,000; two bookkeepers at \$3,360 each; Deputy
 10 Sergeant at Arms in charge of pairs, \$3,600; special assistant
 11 to Sergeant at Arms, \$2,400; pair clerk and messenger,
 12 \$2,820; stenographer, \$2,500; skilled laborer, \$1,380; hire
 13 of automobile, \$600; in all, \$41,200.

14 Police force, House Office Building, under the Sergeant
 15 at Arms: Lieutenant, \$1,740; three sergeants at \$1,680 each;
 16 thirty-five privates at \$1,620 each; in all, \$63,480.

17 OFFICE OF DOORKEEPER

18 Salaries: Doorkeeper, \$6,000; special employee, \$3,000;
 19 superintendent of House Press Gallery, \$3,660; assistants to
 20 the superintendent of the House Press Gallery—one at
 21 \$2,520, and \$300 additional so long as the position is held
 22 by the present incumbent, and one at \$2,400; House Radio
 23 Press Gallery—superintendent of radio room at \$2,700;
 24 messenger at \$1,560; chief janitor, \$2,700; messengers—one
 25 chief messenger, \$2,240, sixteen messengers at \$1,740 each,

1 fourteen on soldiers' roll at \$1,740 each; laborers—seventeen
 2 at \$1,260 each, two (cloakroom) at \$1,380 each, one
 3 (cloakroom), \$1,260, and seven (cloakroom) at \$1,140
 4 each; three female attendants in ladies' retiring rooms at
 5 \$1,680 each, attendant for the ladies' reception room,
 6 \$1,440; superintendent of folding room, \$3,180 and \$420
 7 additional so long as the position is held by the present in-
 8 cumbent; foreman of folding room, \$2,640; chief clerk to
 9 superintendent of folding room, \$2,460; three clerks at
 10 \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one
 11 folders at \$1,440 each; shipping clerk, \$1,740; two drivers at
 12 \$1,380 each; two chief pages at \$1,980 each; two telephone
 13 pages at \$1,680 each; two floor managers of telephones (one
 14 for the minority) at \$3,180 each and \$300 each additional so
 15 long as the respective positions are held by the respective
 16 present incumbents; two assistant floor managers in charge of
 17 telephones (one for the minority) at \$2,100 each; forty-
 18 seven pages during the session, including ten pages for duty at
 19 the entrances to the Hall of the House at \$4 per day
 20 each, \$34,216; superintendent of document room (Elmer
 21 A. Lewis), \$3,960 and \$1,040 additional so long as the
 22 position is held by the present incumbent; assistant super-
 23 intendent of document room, \$2,760; clerk, \$2,320; assistant
 24 clerk, \$2,160; eight assistants at \$1,860 each; janitor,
 25 \$1,440; messenger to press room (House Press Gallery),

1 \$1,560; maintenance and repair of folding-room motortruck,
 2 \$500; in all, \$269,336.

3 SPECIAL AND MINORITY EMPLOYEES

4 For the minority employees authorized and named in
 5 the House Resolutions Numbered 51 and 53 of December 11,
 6 1931, as amended: Two at \$5,000 each, three at \$3,000
 7 each; one at \$3,600 and \$300 additional while the position
 8 is held by the present incumbent (minority pair clerk,
 9 House Resolution Numbered 313 of August 7, 1935); in
 10 all, \$22,900.

11 Special employees: Assistant foreman of the folding
 12 room, authorized in the resolution of September 30, 1913,
 13 \$1,980; laborer, authorized and named in the resolution of
 14 April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

15 Successors to any of the employees provided for in the
 16 two preceding paragraphs may be named by the House of
 17 Representatives at any time.

18 Office of majority floor leader: Legislative clerk, \$3,110;
 19 clerk, \$2,530; additional clerk, \$2,000; two assistant clerks,
 20 at \$1,800 each; for official expenses of the majority leader,
 21 as authorized by House Resolution Numbered 101, Seventy-
 22 first Congress, adopted December 18, 1929, \$2,000; in all,
 23 \$13,240.

24 Conference minority: Clerk, \$3,180; legislative clerk,
 25 \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all,

1 \$9,900. The foregoing employees to be appointed by the
2 minority leader.

3 Two messengers, one in the majority caucus room and
4 one in the minority caucus room, to be appointed by the
5 majority and minority whips, respectively, at \$1,740 each;
6 in all, \$3,480.

7 POST OFFICE

8 Salaries: Postmaster, \$5,000; assistant postmaster,
9 \$2,880; two registry and money-order clerks, at \$2,100
10 each; forty messengers (including one to superintend trans-
11 portation of mails), at \$1,740 each; substitute messengers
12 and extra services of regular employees, when required, at
13 the rate of not to exceed \$145 per month each, \$1,740;
14 laborer, \$1,260; in all, \$84,680.

15 Motor vehicles: For the purchase, exchange, mainte-
16 nance, and repair of motor vehicles for carrying the mails,
17 \$2,200.

18 OFFICIAL REPORTERS OF DEBATES

19 Salaries: Seven official reporters of the proceedings and
20 debates of the House at \$7,500 each; clerk, \$4,000; assistant
21 clerk, \$2,000; six expert transcribers at \$2,000 each; in all,
22 \$70,500.

23 COMMITTEE STENOGRAPHERS

24 Salaries: Four stenographers to committees, at \$7,000
25 each and two stenographers to committees, at \$6,000 each;

1 clerk, \$3,360; in all, \$43,360: *Provided*, That any sums
 2 received from the sale of copies of transcripts of hearings of
 3 committees reported by such stenographers shall be covered
 4 into the Treasury as "miscellaneous receipts".

5 Whenever the words "during the session" occur in the
 6 foregoing paragraphs they shall be construed to mean the
 7 one hundred and eighty-two days from January 1 to June
 8 30, 1944, both inclusive.

9 CLERK HIRE, MEMBERS AND DELEGATES

10 For clerk hire necessarily employed by each Member
 11 and Delegate, and the Resident Commissioner from Puerto
 12 Rico, in the discharge of his official and representative
 13 duties, in accordance with the Act entitled "An Act to fix
 14 the compensation of officers and employees of the legislative
 15 branch of the Government", approved June 20, 1929, as
 16 amended by the Act of July 25, 1939, \$2,847,000.

17 CONTINGENT EXPENSES OF THE HOUSE

18 Furniture: For furniture and materials for repairs of the
 19 same, including not to exceed \$29,000 for labor, tools, and
 20 machinery for furniture repair shops, \$40,000.

21 Miscellaneous items: For miscellaneous items, exclu-
 22 sive of salaries unless specifically ordered by the House of
 23 Representatives, including the sum of \$27,500 for payment
 24 to the Architect of the Capitol in accordance with section

1 208 of the Act approved October 9, 1940 (Public Act
2 812, Seventy-sixth Congress), the reimbursement to the
3 official stenographers to committees for the amounts actually
4 paid out by them for transcribing hearings, and materials
5 for folding, \$95,000.

6 Reporting hearings: For stenographic reports of hearings
7 of committees other than special and select committees,
8 \$30,000.

9 Special and select committees: For expenses of special
10 and select committees authorized by the House, \$400,000.

11 Joint Committee on Internal Revenue Taxation: For
12 payment of one-half of the salaries and other expenses of
13 the Joint Committee on Internal Revenue Taxation as
14 authorized by law, \$35,500.

15 Funeral expenses: No part of the appropriations con-
16 tained in this title for the contingent expenses of the House of
17 Representatives shall be used to defray the expenses of any
18 committee consisting of more than six persons (not more
19 than four from the House and not more than two from the
20 Senate), nor to defray the expenses of any other person
21 except the Sergeant at Arms of the House or a representa-
22 tive of his office, and except the widow or minor children
23 or both of the deceased, to attend the funeral rites and burial
24 of any person who at the time of his or her death is a

1 Representative, a Delegate from a Territory, or a Resident
2 Commissioner from Puerto Rico.

3 Telegraph and telephone: For telegraph and telephone
4 service, exclusive of personal services, \$175,000.

5 Stationery: For stationery for Representatives, Dele-
6 gates, and the Resident Commissioner from Puerto Rico,
7 for the second session of the Seventy-eighth Congress,
8 and for stationery for the use of the committees and officers
9 of the House (not to exceed \$5,000) , \$92,600.

10 Attending physician's office: For medical supplies,
11 equipment, and contingent expenses of the emergency room
12 and for the attending physician and his assistants, including
13 an allowance of \$1,500 to be paid to the attending physician
14 in equal monthly installments as authorized by the Act
15 approved June 27, 1940 (54 Stat. 629) , and including an
16 allowance of not to exceed \$30 per month each to four
17 assistants as provided by the House resolutions adopted
18 July 1, 1930, January 20, 1932, and November 18,
19 1940, \$6,985.

20 Postage stamps: Postmaster, \$200; Clerk, \$400; Ser-
21 geant at Arms, \$250; Doorkeeper, \$100; in all, \$950.

22 To enable the Clerk of the House to procure and furnish
23 each Representative, Delegate, and the Resident Commis-
24 sioner from Puerto Rico, United States air mail and special
25 delivery postage stamps as authorized by law, \$21,900.

1 Folding documents: For folding speeches and pamphlets,
 2 at a rate not exceeding \$1 per thousand or for the employ-
 3 ment of personnel at a rate not to exceed \$4 per day per
 4 person, \$30,000, of which \$5,000 shall be available imme-
 5 diately.

6 Revision of laws: For preparation and editing of the
 7 laws as authorized by the Act approved May 29, 1928
 8 (1 U. S. C. 59), \$8,000, to be expended under the
 9 direction of the Committee on Revision of the Laws.

10 **(20)***For preliminary work in connection with the preparation*
 11 *of a new edition of the United States Code, including the*
 12 *correction of errors as authorized by the Act approved March*
 13 *2, 1929 (45 Stat. 1541), \$100,000, to be expended under*
 14 *the supervision of the Committee on the Revision of the Laws.*

15 Clerk's office, special assistance: For assistants in com-
 16 piling lists of reports to be made to Congress by public
 17 officials; compiling copy and revising proofs for the House
 18 portion of the Official Register; preparing and indexing the
 19 statistical reports of the Clerk of the House; compiling the
 20 telephone and Members' directories; preparing and index-
 21 ing the daily calendars of business; preparing the official
 22 statement of Members' voting records; preparing lists of
 23 congressional nominees and statistical summary of elections;
 24 preparing and indexing questions of order printed in the
 25 Appendix to the Journal pursuant to House Rule III;

1 for recording and filing statements of political committees
2 and candidates for election to the House of Representatives
3 pursuant to the Federal Corrupt Practices Act, 1925 (2
4 U. S. C. 241-256); and for such other assistance as the
5 Clerk of the House may deem necessary and proper in
6 the conduct of the business of his office, \$4,500: *Provided*,
7 That no part of this appropriation shall be used to augment
8 the annual salary of any employee of the House of
9 Representatives.

10 Speaker's automobile: For exchange, driving, mainte-
11 nance, repair, and operation of an automobile for the Speaker,
12 \$4,000.

13 CAPITOL POLICE

14 Salaries: Captain, \$2,700; three lieutenants, at \$1,740
15 each; special officer, \$1,740; three sergeants, at \$1,680
16 each; fifty-two privates, at \$1,620 each; one-half of said
17 privates to be selected by the Sergeant at Arms of
18 the Senate and one-half by the Sergeant at Arms of the
19 House; in all, \$98,940: *Provided*, That no part of any
20 appropriation contained in this Act shall be paid as com-
21 pensation to any person appointed after June 30, 1935, as
22 and officer or member of the Capitol Police (including those
23 for the Senate and House Office Buildings) who does not
24 meet the standards to be prescribed for such appointees by
25 the Capitol Police Board: *Provided further*, That the

1 Capitol Police Board is hereby authorized to detail police
2 from the House and Senate Office Buildings for police duty
3 on the Capitol Grounds.

4 General expenses: For purchasing and supplying uni-
5 forms, purchase, exchange, maintenance, and repair of motor-
6 propelled passenger-carrying vehicles, contingent expenses,
7 including \$25 per month for extra services performed by a
8 member of such force for the Capitol Police Board,
9 \$9,400.

10 Capitol Police Board: To enable the Capitol Police
11 Board to provide additional protection during the present
12 emergency for the Capitol Buildings and Grounds, including
13 the Senate and House Office Buildings and the Capitol Power
14 Plant, \$55,000. Such sum shall only be expended for
15 payment for salaries and other expenses of personnel de-
16 tailed from the Federal Bureau of Investigation, the Secret
17 Service of the Treasury Department, and the Metropolitan
18 Police of the District of Columbia, and the heads of such
19 agencies and the Commissioners of the District of Columbia
20 are authorized and directed to make such details upon the
21 request of the Board. Personnel so detailed shall, during the
22 period of such detail, serve under the direction and instruc-
23 tions of the Board and is authorized to exercise the same
24 authority as members of such Metropolitan Police and mem-

1 bers of the Capitol Police and to perform such other duties
2 as may be assigned by the Board. Reimbursement for
3 salaries and other expenses of such detailed personnel shall be
4 made to the Federal agency or the government of the Dis-
5 trict of Columbia, respectively, and any sums so reimbursed
6 shall be credited to the appropriation or appropriations from
7 which such salaries and expenses are payable and be avail-
8 able for all the purposes thereof: *Provided*, That any person
9 detailed under the authority of this paragraph or under simi-
10 lar authority in the Legislative Branch Appropriation Act,
11 1942, and the Second Deficiency Appropriation Act, 1940,
12 from the Metropolitan Police of the District of Columbia
13 shall be deemed a member of such Metropolitan Police dur-
14 ing the period or periods of any such detail for all purposes
15 of rank, pay, allowances, privileges, and benefits to the same
16 extent as though such detail had not been made, and at the
17 termination thereof any such person who was a member of
18 such police on July 1, 1940, shall have a status with respect
19 to rank, pay, allowances, privileges, and benefits which is
20 not less than the status of such person in such police at the
21 end of such detail.

22 One-half of the foregoing amounts under "Capitol Police"
23 shall be disbursed by the Secretary of the Senate and one-
24 half by the Clerk of the House.

1 JOINT COMMITTEE ON PRINTING

2 Salaries: Clerk, \$4,000 and \$800 additional so long as
3 the position is held by the present incumbent; inspector un-
4 der section 20 of the Act approved January 12, 1895 (44
5 U. S. C. 49), \$2,820; assistant clerk and stenographer,
6 \$2,640; for expenses of compiling, preparing, and indexing
7 the Congressional Directory, \$1,600; in all, \$11,860, one-
8 half to be disbursed by the Secretary of the Senate and the
9 other half to be disbursed by the Clerk of the House.

10 OFFICE OF LEGISLATIVE COUNSEL

11 Salaries and expenses: For salaries and expenses of
12 maintenance of the Office of Legislative Counsel, as author-
13 ized by law, \$83,000, of which \$42,000 shall be disbursed
14 by the Secretary of the Senate and \$41,000 by the Clerk of
15 the House of Representatives.

16 STATEMENT OF APPROPRIATIONS

17 For preparation, under the direction of the Committees
18 on Appropriations of the Senate and House of Representa-
19 tives of the statements for the first session of the Seventy-
20 eighth Congress, showing appropriations made, indefinite
21 appropriations, and contracts authorized, together with a
22 chronological history of the regular appropriation bills, as
23 required by law, \$4,000, to be paid to the persons desig-
24 nated by the chairmen of such committees to do the work.

1 ARCHITECT OF THE CAPITOL

2 OFFICE OF THE ARCHITECT OF THE CAPITOL

3 Salaries: For the Architect of the Capitol, Assistant
4 Architect of the Capitol, and other personal services at rates
5 of pay provided by law; and the Assistant Architect of the
6 Capitol shall act as Architect of the Capitol during the
7 absence or disability of that official or whenever there is no
8 Architect; \$64,100.

9 Appropriations under the control of the Architect of the
10 Capitol shall be available for expenses of travel on official
11 business not to exceed in the aggregate under all funds the
12 sum of \$750.

13 CAPITOL BUILDINGS AND GROUNDS

14 Capitol Buildings: For necessary expenditures for the
15 Capitol Building and electrical substations of the Senate
16 and House Office Buildings, under the jurisdiction of the
17 Architect of the Capitol, including minor improvements.
18 maintenance, repair, equipment, supplies, material, fuel, oil,
19 waste, and appurtenances; furnishings and office equipment;
20 special clothing for workmen; waterproof wearing apparel;
21 personal and other services; cleaning and repairing works
22 of art; maintenance and driving of motor-propelled pas-
23 senger-carrying office vehicle; not exceeding \$300 for the
24 purchase of technical and necessary reference books, peri-

1 odicals, and city directory; not to exceed \$150 for expenses
 2 of attendance, when specifically authorized by the Architect
 3 of the Capitol, at meetings or conventions in connection
 4 with subjects related to work under the Architect of the
 5 Capitol; and the compensation of the position of supervising
 6 engineer shall be at the rate of \$6,000 per annum so long
 7 as the position is held by the person who was the incumbent
 8 thereof on May 15, 1941; ~~(21)\$289,200~~ \$291,000.

9 Capitol Grounds: For care and improvement of grounds
 10 surrounding the Capitol, Senate and House Office Buildings;
 11 Capitol Power Plant; personal and other services; care of
 12 trees; planting; fertilizers; repairs to pavements, walks, and
 13 roadways; purchase of waterproof wearing apparel; main-
 14 tenance of signal lights; and for snow removal by hire of
 15 men and equipment or under contract without compliance
 16 with section 3709 (41 U. S. C. 5) of the Revised Statutes,
 17 \$103,200.

18 Legislative garage: For maintenance, repairs, altera-
 19 tions, personal and other services, and all necessary inci-
 20 dental expenses, \$12,720.

21 Subway transportation, Capitol and Senate Office Build-
 22 ings: For repairs, rebuilding, and maintenance of the subway
 23 system connecting the Senate Office Building with the Sen-
 24 ate wing of the United States Capitol and for personal and

1 other services, including maintenance of the cars, track, and
 2 electrical equipment connected therewith, \$1,500.

3 Senate Office Building: For maintenance, miscellaneous
 4 items and supplies, including furniture, furnishings, and
 5 equipment, and for labor and material incident thereto, and
 6 repairs thereof; and for personal and other services, includ-
 7 ing four female attendants in charge of ladies' retiring rooms
 8 at \$1,500 each, for the care and operation of the Senate Office
 9 Building; to be expended under the control and supervi-
 10 sion of the Architect of the Capitol; in all, ~~(22)\$313,560~~
 11 *\$306,955; Provided, That the unexpended balance on June*
 12 *30, 1943, of the appropriation of \$7,300 for the maintenance*
 13 *of the Senate Office Building, contained in the Second Sup-*
 14 *plemental National Defense Appropriation Act, 1943, ap-*
 15 *proved October 26, 1942, shall continue available for the*
 16 *same purposes until June 30, 1944.*

17 House Office Buildings: For maintenance, including
 18 equipment, waterproof wearing apparel, miscellaneous items,
 19 and for all necessary services, \$390,200.

20 Capitol Power Plant: For lighting, heating, and power
 21 for the Capitol, Senate and House Office Buildings, Supreme
 22 Court Building, Congressional Library Buildings, and the
 23 grounds about the same, Botanic Garden, legislative garage,
 24 and folding and storage rooms of the Senate, and for air-

1 conditioning refrigeration not supplied from plants in any
 2 of such buildings; for heating the Government Printing
 3 Office and Washington City Post Office and for light and
 4 power therefor whenever available; personal and other serv-
 5 ices, engineering instruments, fuel, oil, materials, labor,
 6 advertising, and purchase of waterproof wearing apparel
 7 in connection with the maintenance and operation of the
 8 plant, \$765,600.

9 The appropriations under the control of the Architect of
 10 the Capitol may be expended without reference to section 4
 11 of the Act approved June 17, 1910 (41 U. S. C. 7), con-
 12 cerning purchases for executive departments.

13 The Government Printing Office and the Washington
 14 City Post Office shall reimburse the Capitol Power Plant for
 15 heat, light, and power whenever any such service is furnished
 16 during the fiscal year 1944, and the amounts so reimbursed
 17 shall be covered into the Treasury.

18 LIBRARY BUILDINGS AND GROUNDS

19 MECHANICAL AND STRUCTURAL MAINTENANCE

20 Salaries: For chief engineer and all personal services
 21 at rates of pay provided by law, \$98,300.

22 Salaries, Sunday opening: For extra services of
 23 employees and additional employees under the Architect of
 24 the Capitol to provide for the opening of the Library

1 Buildings on Sundays and on holidays, at rates to be fixed
2 by such Architect, \$7,300.

3 General repairs, and so forth: For necessary expendi-
4 tures for the Library Buildings and Grounds under the juris-
5 diction of the Architect of the Capitol, including minor im-
6 provements, maintenance, repair, equipment, supplies, water-
7 proof wearing apparel, material, and appurtenances, and
8 personal and other services in connection with the mechanical
9 and structural maintenance of such buildings and grounds,
10 \$25,000.

11 BOTANIC GARDEN

12 Salaries: For personal services (including not exceeding
13 \$3,000 for miscellaneous temporary labor without regard
14 to the Classification Act of 1923, as amended), \$82,000; all
15 under the direction of the Joint Committee on the Library.

16 Maintenance, operation, repairs, and improvements:
17 For all necessary expenses incident to maintaining, operat-
18 ing, repairing, and improving the Botanic Garden, and the
19 nurseries, buildings, grounds, and equipment pertaining
20 thereto, including procuring fertilizers, soils, tools, trees,
21 shrubs, plants, and seeds; materials and miscellaneous sup-
22 plies, including rubber boots and aprons when required for
23 use by employees in connection with their work; not to
24 exceed \$25 for emergency medical supplies; disposition of
25 waste; traveling expenses of the Director and his assistants

1 not to exceed \$250; street-car fares not exceeding \$25;
 2 office equipment and contingent expenses; the prevention
 3 and eradication of insect and other pests and plant diseases
 4 by purchase of materials and procurement of personal serv-
 5 ices by contract without regard to the provisions of any
 6 other Act; repair, maintenance, operation, purchase, and
 7 exchange of motortrucks, and maintenance, repair, and
 8 operation of a passenger motor vehicle; purchase of botan-
 9 ical books, periodicals, and books of reference, not to exceed
 10 \$100; repairs and improvements to Director's residence;
 11 and all other necessary expenses; all under the direction of
 12 the Joint Committee on the Library, \$21,000.

13 No part of the appropriations contained in this title for
 14 the Botanic Garden shall be used for the distribution, by con-
 15 gressional allotment, of trees, plants, shrubs, or other nursery
 16 stock.

17 LIBRARY OF CONGRESS

18 Salaries, Library, Proper: For the Librarian, the
 19 Librarian Emeritus, Chief Assistant Librarian, and other
 20 personal services, including special and temporary services
 21 and extra special services of regular employees (not exceed-
 22 ing \$5,000) at rates to be fixed by the Librarian, \$1,459,900.

23 COPYRIGHT OFFICE

24 Salaries: For the Register of Copyrights, assistant
 25 register, and other personal services, \$294,100.

LEGISLATIVE REFERENCE SERVICE

Salaries: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, and including not to exceed \$5,700 for employees engaged on piece work and work by the day or hour at rates to be fixed by the Librarian, \$148,300: *Provided*, That not more than \$20,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

DISTRIBUTION OF CARD INDEXES

Salaries and expenses: For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$234,100.

1 INDEX TO STATE LEGISLATION

2 Salaries and expenses: To enable the Librarian of Con-
3 gress to prepare an index to the legislation of the several
4 States, together with a supplemental digest of the more im-
5 portant legislation, as authorized and directed by the Act
6 entitled "An Act providing for the preparation of a biennial
7 index to State legislation", approved February 10, 1927
8 (2 U. S. C. 164, 165), including personal and other services
9 within and without the District of Columbia, including not
10 to exceed \$2,500 for special and temporary services at rates
11 to be fixed by the Librarian, travel, necessary material and
12 apparatus, and for printing and binding the indexes and
13 digests of State legislation for official distribution only, and
14 other printing and binding incident to the work of compila-
15 tion, stationery, and incidentals, \$37,760.

16 SUNDAY OPENING

17 Salaries: To enable the Library of Congress to be kept
18 open for reference use on Sundays and on holidays within
19 the discretion of the Librarian, including the extra services
20 of employees and the services of additional employees under
21 the Librarian, at rates to be fixed by the Librarian, \$15,000.

22 UNION CATALOGUES

23 Salaries and expenses: To continue the development and
24 maintenance of the Union Catalogues including personal
25 services within and without the District of Columbia (and

1 not to exceed \$700 for special and temporary services, in-
2 cluding extra special services of regular employees, at rates
3 to be fixed by the Librarian), travel, necessary material and
4 apparatus, stationery, photostat supplies, and incidentals,
5 \$51,700.

6 INCREASE OF THE LIBRARY OF CONGRESS

7 General increase of Library: For purchase of books,
8 miscellaneous periodicals and newspapers, photo-copying
9 supplies and photo-copying labor, and all other material
10 for the increase of the Library, including payment in advance
11 for subscription books and society publications, and for
12 freight, commissions, and traveling expenses not to exceed
13 \$20,000, including expenses of attendance at meetings when
14 incurred on the written authority and direction of the
15 Librarian in the interest of collections, and all other expenses
16 incidental to the acquisition of books, miscellaneous periodi-
17 cals and newspapers, and all other material for the increase
18 of the Library, by purchase, gift, bequest, or exchange,
19 \$198,000, to continue available during the fiscal year 1945.

20 Increase of the law library: For the purchase of books
21 and for legal periodicals for the law library, including pay-
22 ment for legal society publications and for freight, commis-
23 sions, traveling expenses not to exceed \$2,500, including
24 expenses of attendance at meetings when incurred on the
25 written authority and direction of the Librarian in the inter-

1 est of collections, and all other expenses incidental to the
 2 acquisition of lawbooks, and all other material for the increase
 3 of the law library, \$95,000, to continue available during
 4 the fiscal year 1945.

5 Books for the Supreme Court: For the purchase of
 6 books and periodicals for the Supreme Court, to be a part
 7 of the Library of Congress, and purchased by the Marshal
 8 of the Supreme Court, under the direction of the Chief
 9 Justice, \$20,000.

10 BOOKS FOR ADULT BLIND

11 To enable the Librarian of Congress to carry out the
 12 provisions of the Act entitled "An Act to provide books for
 13 the adult blind", approved March 3, 1931 (2 U. S. C.
 14 135a), as amended, \$370,000, including not exceeding
 15 \$20,000 for personal services and not exceeding \$500 for
 16 necessary traveling expenses connected with such service
 17 and for expenses of attendance at meetings when incurred
 18 on the written authority and direction of the Librarian.

19 PRINTING AND BINDING

20 General printing and binding: For miscellaneous print-
 21 ing and binding for the Library of Congress, including the
 22 Copyright Office, and the binding, rebinding, and repairing
 23 of library books, and for the Library Buildings, \$270,000.

24 Printing the Catalogue of Title Entries of the Copyright
 25 Office: For the publication of the Catalogue of Title Entries

1 of the Copyright Office and the decisions of the United States
2 courts involving copyright, \$30,000.

3 Printing catalog cards: For the printing of catalog cards
4 and of miscellaneous publications relating to the distribution
5 of card indexes, \$260,000.

6 CONTINGENT EXPENSES OF THE LIBRARY

7 For miscellaneous and contingent expenses, stationery,
8 office supplies, stock and materials directly purchased,
9 miscellaneous traveling expenses, postage, transportation,
10 incidental expenses connected with the administration of the
11 Library and Copyright Office, including not exceeding \$500
12 for expenses of attendance at meetings when incurred on
13 the written authority and direction of the Librarian,
14 \$20,800.

15 For furniture, including the purchase of office and library
16 equipment, apparatus, and labor-saving devices, \$16,000,
17 to be expended under the direction of the Librarian of Con-
18 gress.

19 For personal services, paper, chemicals, and miscel-
20 laneous supplies necessary for the operation of the photo-
21 duplicating machines of the Library and the making of
22 photoduplicate prints, \$26,700.

23 Security of collections: The unexpended balances of sums
24 appropriated under this head in the First Deficiency Appro-
25 priation Act, 1942, to enable the Librarian to effect pre-

1 cautionary measures for the security of the collections of the
2 Library of Congress, including the objects specified there-
3 under, are hereby reappropriated and made available for the
4 fiscal year 1944.

5 LIBRARY BUILDINGS

6 Salaries: For the superintendent and other personal serv-
7 ices, in accordance with the Classification Act of 1923, as
8 amended, including special and temporary services and spe-
9 cial services of regular employees in connection with the
10 custody, care, and maintenance of the Library Buildings in
11 the discretion of the Librarian (not exceeding \$750) at rates
12 to be fixed by the Librarian, \$314,300.

13 For extra services of employees and additional em-
14 ployees under the Librarian to provide for the opening of
15 the Library Buildings on Sundays and on holidays, at
16 rates to be fixed by the Librarian, \$8,000, of which \$700
17 shall be available immediately.

18 For mail, delivery, including maintenance, operation,
19 and repair of a motor-propelled passenger-carrying vehicle,
20 telephone services, rubber boots, rubber coats, and other
21 special clothing for employees, uniforms for guards and
22 elevator conductors, medical supplies, equipment, and con-
23 tingent expenses for the emergency room, stationery, mis-
24 cellaneous supplies, and all other incidental expenses in
25 connection with the custody and maintenance of the Library

1 Buildings, \$16,600: *Provided*, That any appropriations
 2 under the control of the Librarian of Congress may be ex-
 3 pended without reference to section 3709 of the Revised
 4 Statutes (41 U. S. C. 5) in any case when the total amount
 5 of the purchase involved does not exceed the sum of-\$100.

6 LIBRARY OF CONGRESS TRUST FUND BOARD

7 For any expense of the Library of Congress Trust Fund
 8 Board not properly chargeable to the income of any trust
 9 fund held by the Board, \$100.

10 Not to exceed ten positions in the Library of Congress
 11 may be exempt from the provisions of section 205 of the
 12 Independent Offices Appropriation Act, 1944, but the Librar-
 13 ian shall not make any appointment to any such position
 14 until he has ascertained that he cannot secure for such ap-
 15 pointment a person in any of the three categories specified
 16 in such section 205 who possesses the special qualifications
 17 for the particular position and also otherwise meets the gen-
 18 eral requirements for employment in the Library of Congress.

19 GOVERNMENT PRINTING OFFICE

20 WORKING CAPITAL AND CONGRESSIONAL PRINTING AND

21 BINDING

22 To provide the Public Printer with a working capital for
 23 the following purposes for the execution of printing, binding,
 24 lithographing, mapping, engraving, and other authorized
 25 work of the Government Printing Office for the various

1 branches of the Government: For salaries of Public Printer
2 and Deputy Public Printer; for salaries, compensation, or
3 wages of all necessary officers and employees additional to
4 those herein appropriated for, including employees necessary
5 to handle waste paper and condemned material for sale; to
6 enable the Public Printer to comply with the provisions of
7 law granting holidays and half holidays and Executive orders
8 granting holidays and half holidays with pay to employees;
9 to enable the Public Printer to comply with the provisions
10 of law granting leave to employees with pay, such pay to be
11 at the rate for their regular positions at the time the leave is
12 granted; rental of buildings and equipment; fuel, gas, heat,
13 electric current, gas and electric fixtures; bicycles, motor-
14 propelled vehicles for the carriage of printing and printing
15 supplies, and the maintenance, repair, and operation of the
16 same, to be used only for official purposes, including opera-
17 tion, repair, and maintenance of motor-propelled passenger-
18 carrying vehicles, for official use of the officers of the Govern-
19 ment Printing Office when in writing ordered by the Public
20 Printer; freight, expressage, telegraph and telephone service,
21 furniture, typewriters, and carpets; traveling expenses, in-
22 cluding not to exceed \$3,000 for attendance at meetings or
23 conventions when authorized by the Joint Committee on
24 Printing; stationery, postage and advertising; directories,
25 technical books, newspapers and magazines, and books of

1 reference (not exceeding \$500) ; adding and numbering
2 machines, time stamps, and other machines of similar char-
3 acter; rubber boots, coats, and gloves; machinery (not ex-
4 ceeding \$300,000) ; equipment, and for repairs to machinery,
5 implements, and buildings, and for minor alterations to build-
6 ings; necessary equipment, maintenance, and supplies for the
7 emergency room for the use of all employees in the Govern-
8 ment Printing Office who may be taken suddenly ill or
9 receive injury while on duty; other necessary contingent and
10 miscellaneous items authorized by the Public Printer; for
11 expenses authorized in writing by the Joint Committee on
12 Printing for the inspection of printing and binding equipment,
13 material, and supplies and Government printing plants in the
14 District of Columbia or elsewhere (not exceeding \$1,000);
15 for salaries and expenses of preparing the semimonthly and
16 session indexes of the Congressional Record under the direc-
17 tion of the Joint Committee on Printing (chief indexer at
18 \$3,480, one cataloger at \$3,180, two catalogers at \$2,460
19 each, and one cataloger at \$2,100) ; and for all the necessary
20 labor, paper, materials, and equipment needed in the prosecu-
21 tion and delivery and mailing of the work; in all, \$7,225,000;
22 to which sum shall be charged the printing and binding au-
23 thorized to be done for Congress including supplemental and
24 deficiency estimates of appropriations; the printing, binding,
25 and distribution of the Federal Register in accordance with

1 the Act approved July 26, 1935 (44 U. S. C. 301-317)
2 (not exceeding \$400,000) ; for the printing and binding of
3 a cumulative supplement to the Code of Federal Regula-
4 tions as authorized by the Act approved December 10,
5 1942 (Public Law 796, Seventy-seventh Congress, not
6 exceeding \$165,000; the printing and binding for use of
7 the Government Printing Office; the printing and binding
8 (not exceeding \$3,000) for official use of the Architect
9 of the Capitol upon requisition of the Secretary of the
10 Senate; in all to an amount not exceeding \$4,225,000: *Pro-*
11 *vided*, That not less than \$3,000,000 of such working capital
12 shall be returned to the Treasury as an unexpended balance
13 not later than six months after the close of the fiscal year
14 1944: *Provided further*, That notwithstanding the provisions
15 of section 73 of the Act of January 12, 1895 (44 U. S. C.
16 241), no part of the foregoing sum of \$4,225,000 shall be
17 used for printing and binding part 2 of the annual report of
18 the Secretary of Agriculture (known as the Yearbook of
19 Agriculture).

20 Printing and binding for Congress chargeable to the
21 foregoing appropriation, when recommended to be done by
22 the Committee on Printing of either House, shall be so recom-
23 mended in a report containing an approximate estimate of
24 the cost thereof, together with a statement from the Public
25 Printer of estimated approximate cost of work previously

1 ordered by Congress within the fiscal year for which this
2 appropriation is made.

3 During the fiscal year 1944 any executive depart-
4 ment or independent establishment of the Government
5 ordering printing and binding from the Government Printing
6 Office shall pay promptly by check to the Public Printer upon
7 his written request, either in advance or upon completion of
8 the work, all or part of the estimated or actual cost thereof,
9 as the case may be, and bills rendered by the Public Printer
10 in accordance herewith shall not be subject to audit or cer-
11 tification in advance of payment: *Provided*, That proper ad-
12 justments on the basis of the actual cost of delivered work
13 paid for in advance shall be made monthly or quarterly and
14 as may be agreed upon by the Public Printer and the depart-
15 ment or establishment concerned. All sums paid to the
16 Public Printer for work that he is authorized by law to do
17 shall be deposited to the credit, on the books of the Treasury
18 Department, of the appropriation made for the working cap-
19 ital of the Government Printing Office for the year in which
20 the work is done, and be subject to requisition by the Public
21 Printer.

22 No part of any money appropriated in this Act shall be
23 paid to any person employed in the Government Printing
24 Office while detailed for or performing service in the execu-

1 tive branch of the public service of the United States unless
2 such detail be authorized by law.

3 OFFICE OF SUPERINTENDENT OF DOCUMENTS

4 Salaries: For the Superintendent of Documents, assistant
5 superintendent, and other personal services in accordance
6 with the Classification Act of 1923, as amended, and com-
7 pensation of employees paid by the hour who shall be subject
8 to the provisions of the Act entitled "An Act to regulate
9 and fix rates of pay for employees and officers of the Govern-
10 ment Printing Office", approved June 7, 1924 (44 U. S. C.
11 40), \$852,500.

12 General expenses: For furniture and fixtures, type-
13 writers, carpets, labor-saving machines and accessories, time
14 stamps, adding and numbering machines, awnings, cur-
15 tains, books of reference; directories, books, miscellaneous
16 office and desk supplies, paper, twine, glue, envelopes,
17 postage, carfares, soap, towels, disinfectants, and ice; dray-
18 age, express, freight, telephone, and telegraph service;
19 traveling expenses (not to exceed \$200); repairs to build-
20 ings, elevators, and machinery; rental of equipment; pre-
21 serving sanitary condition of building; light, heat, and
22 power; stationery and office printing, including blanks,
23 price lists, bibliographies, catalogs, and indexes; for sup-
24 plying books to depository libraries; in all, \$345,000: *Pro-*
25 *vided*, That no part of this sum shall be used to supply to

1 depository libraries any documents, books, or other printed
2 matter not requested by such libraries, and the requests
3 therefor shall be subject to approval by the Superintendent
4 of Documents: *Provided further*, That the Superintendent of
5 Documents shall furnish, from the quota that was printed for
6 sale, one complete set of Definitive Writings of George Wash-
7 ington to each Senator, Representative, Delegate, and
8 Resident Commissioner, serving during the Seventy-eighth
9 Congress, who makes written application therefor.

10 Purchases may be made from the foregoing appropriation
11 under the "Government Printing Office", as provided for in
12 the Printing Act approved January 12, 1895, and without
13 reference to section 4 of the Act approved June 17, 1910
14 (41 U. S. C. 7), concerning purchases for executive depart-
15 ments.

16 SEC. 102. In order to keep the expenditures for
17 printing and binding for the fiscal year 1944 within
18 or under the appropriations for such fiscal year, the heads
19 of the various executive departments and independent estab-
20 lishments are authorized to discontinue the printing of annual
21 or special reports under their respective jurisdictions: *Pro-*
22 *vided*, That where the printing of such reports is discontinued
23 the original copy thereof shall be kept on file in the offices of
24 the heads of the respective departments or independent estab-
25 lishments for public inspection.

1 SEC. 103. No part of the funds appropriated in this
2 title shall be used for the maintenance or care of private
3 vehicles.

4 SEC. 104. Whenever any office or position not spe-
5 cifically established by the Legislative Pay Act of 1929 is
6 specifically appropriated for in this title or whenever the
7 rate of compensation or designation of any position specifi-
8 cally appropriated for in this title is different from that
9 specifically established for such position by such Act, the
10 rate of compensation and the designation of the position, or
11 either, specifically appropriated for in this title, shall be the
12 permanent law with respect thereto; and the authority for
13 any position specifically established by such Act which is
14 not specifically appropriated for in this title shall cease to
15 exist.

16 SEC. 105. This title may be cited as the "Legislative
17 Branch Appropriation Act, 1944".

18 TITLE II—THE JUDICIARY

19 UNITED STATES SUPREME COURT

20 Salaries: For the Chief Justice and eight Associate Jus-
21 tices; Reporter of the Court; and all other officers and em-
22 ployees, whose compensation shall be fixed by the Court,
23 except as otherwise provided by law, and who may be
24 employed and assigned by the Chief Justice to any office or
25 work of the Court, \$484,200.

1 Preparation of rules for criminal proceedings: For all
2 expenses of the Supreme Court of the United States to pro-
3 vide for expenses of such advisory committee as may be
4 appointed by the Court to assist it in the preparation of
5 rules of pleading, practice, and procedure with respect to
6 criminal cases, pursuant to the Act entitled "An Act to give
7 the Supreme Court of the United States authority to pre-
8 scribe rules of pleading, practice, and procedure with respect
9 to proceedings in criminal cases prior to and including
10 verdict, or finding or plea of guilty", approved June 29,
11 1940 (54 Stat. 688), including personal services in the
12 District of Columbia and elsewhere and printing and binding,
13 to be expended as the Chief Justice in his discretion may
14 direct, including such per diem allowances in lieu of actual
15 expenses for subsistence at rates to be fixed by him not to
16 exceed \$10 per day, \$30,000, of which amount not to
17 exceed \$14,950 shall be immediately available.

18 The unexpended balance of the appropriation "Prepara-
19 tion of Rules for Civil Procedure, fiscal years 1942 and
20 1943", carried in the Sixth Supplemental National Defense
21 Appropriation Act, 1942, is hereby reappropriated and made
22 available for the fiscal year 1944.

23 Printing and binding: For printing and binding for the
24 Supreme Court of the United States, \$26,000, to be expended

1 as required without allotment by quarters, and to be executed
2 by such printer as the Court may designate.

3 Miscellaneous expenses: For miscellaneous expenses of
4 the Supreme Court of the United States, to be expended as
5 the Chief Justice may approve, \$27,000.

6 Structural and mechanical care of the building and
7 grounds: For such expenditures as may be necessary to
8 enable the Architect of the Capitol to carry out the duties
9 imposed upon him by the Act approved May 7, 1934 (40
10 U. S. C. 13a-13d), including improvements, maintenance,
11 repairs, equipment, supplies, materials, and appurtenances,
12 special clothing for workmen; purchase of waterproof wear-
13 ing apparel; and personal and other services, including tempo-
14 rary labor without reference to the Classification and Retirement
15 Acts, as amended, and for snow removal by hire of
16 men and equipment or under contract without compliance
17 with sections 3709 and 3744 of the Revised Statutes (41
18 U. S. C. 5, 16), \$68,000.

19 UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

20 Sixty per centum of the expenditures for the District
21 Court of the United States for the District of Columbia from
22 all appropriations under this title and 30 per centum of the
23 expenditures for the United States Court of Appeals for the
24 District of Columbia from all appropriations under this title

1 shall be reimbursed to the United States from any funds in
2 the Treasury to the credit of the District of Columbia.

3 Repairs and improvements, District Court of the United
4 States for the District of Columbia: For repairs and im-
5 provements to the courthouse, including repair and main-
6 tenance of the mechanical equipment, and for labor and
7 material and every item incident thereto, \$11,300, to be
8 expended under the direction of the Architect of the Capitol.

9 Repairs and improvements, United States Court of
10 Appeals for the District of Columbia: For repairs and im-
11 provements to the United States Court of Appeals Building,
12 including repair and maintenance of the mechanical equip-
13 ment, and for labor and material and every item incident
14 thereto, \$2,500, to be expended under the direction of the
15 Architect of the Capitol.

16 COURT OF CUSTOMS AND PATENT APPEALS

17 Salaries: Presiding judge and four associate judges and
18 all other officers and employees of the court, \$107,060.

19 Contingent expenses: For books and periodicals, includ-
20 ing their exchange; stationery, supplies, traveling expenses;
21 drugs, chemicals, cleansers, furniture; and for such other
22 miscellaneous expenses as may be approved by the presiding
23 judge, \$3,000.

24 Printing and binding: For printing and binding,
25 \$6,700.

UNITED STATES CUSTOMS COURT

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, \$236,500.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, \$13,500.

Printing and binding: For printing and binding, \$1,000.

COURT OF CLAIMS

Salaries: Chief justice and four judges, seven regular commissioners, and all other officers and employees of the court, \$208,000, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, traveling expenses, and other miscellaneous expenses, \$18,000.

1 Printing and binding: For printing and binding,
2 \$26,500.

3 Repairs and improvements: For necessary repairs and
4 improvements to the Court of Claims buildings, to be ex-
5 pended under the supervision of the Architect of the Capitol,
6 \$2,550.

7 TERRITORIAL COURTS

8 Hawaii: For salaries of the chief justice and two asso-
9 ciate justices of the Supreme Court of the Territory of
10 Hawaii, of judges of the circuit courts in Hawaii, and of
11 judges retired under the Act of May 31, 1938, \$103,500.

12 MISCELLANEOUS ITEMS OF EXPENSE

13 Salaries of judges: For salaries of circuit judges; district
14 judges (including two in the Territory of Hawaii, one in the
15 Territory of Puerto Rico, four in the Territory of Alaska,
16 one in the Virgin Islands, and one in the Panama Canal
17 Zone) ; and judges retired under section 260 of the Judicial
18 Code, as amended, and section 518 of the Tariff Act of 1930;
19 in all, \$3,222,500: *Provided*, That this appropriation shall
20 be available for the salaries of all United States justices and
21 circuit and district judges lawfully entitled thereto whether
22 active or retired.

23 Salaries of clerks of courts: For salaries of clerks of
24 United States circuit courts of appeals and United States

1 district courts, their deputies, and other assistants,

2 (23) ~~\$2,542,900~~ \$2,570,280.

3 (24) No part of any appropriation in this Act shall be used
 4 to pay the cost of maintaining an office of the clerk of the
 5 United States District Court at Anniston, Alabama; Florence,
 6 Alabama; Jasper, Alabama; Gadsden, Alabama; Grand
 7 Junction, Colorado; Montrose, Colorado; Durango, Colorado;
 8 Sterling, Colorado; Newnan, Georgia; Benton, Illinois;
 9 Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico;
 10 Bryson City, North Carolina; Shelby, North Carolina; Ard-
 11 more, Oklahoma; Guthrie, Oklahoma; Aberdeen, South
 12 Dakota; Pierre, South Dakota; Deadwood, South Dakota;
 13 Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or
 14 Lander, Wyoming; but this paragraph shall not be so con-
 15 strued as to prevent the detail during sessions of court of such
 16 employees as may be necessary from other offices to the
 17 offices named herein.

18 Probation system, United States courts: For salaries
 19 of probation officers and their clerical assistants, as authorized
 20 by the Act entitled "An Act to amend the Act of March 4,
 21 1925, chapter 521, and for other purposes", approved June
 22 6, 1930 (18 U. S. C. 726), \$956,800: *Provided*, That the
 23 salary of no probation officer shall be less than \$1,800 per
 24 annum nor more than \$3,600 per annum: *Provided further*,
 25 That nothing herein contained shall be construed to abridge

1 the right of the district judges to appoint probation officers, or
2 to make such orders as may be necessary to govern proba-
3 tion officers in their own courts: *Provided further*, That no
4 part of this appropriation shall be used to pay the salary or
5 expenses of any probation officer who, in the judgment of
6 the senior or presiding judge certified to the Attorney Gen-
7 eral, fails to carry out the official orders of the Attorney
8 General with respect to supervising or furnishing informa-
9 tion concerning any prisoner released conditionally or on
10 parole from any Federal penal or correctional institution.

11 Fees of commissioners: For fees of the United States
12 commissioners and other committing magistrates acting un-
13 der section 1014, Revised Statutes (18 U. S. C. 591), in-
14 cluding fees and expenses of conciliation commissioners,
15 United States courts, including the objects and subject to the
16 conditions specified for such fees and expenses of conciliation
17 commissioners in the Department of Justice Appropriation
18 Act, 1937, \$350,000.

19 Fees of jurors: For mileage and per diems of jurors;
20 meals and lodging for jurors in United States cases when
21 ordered by the court, and meals and lodging for jurors in
22 Alaska, as provided by section 193, title II, of the Act of
23 June 6, 1900 (31 Stat. 362), and compensation for jury
24 commissioners, \$5 per day, not exceeding three days for any
25 one term of court, \$1,680,000: *Provided*, That the compen-

1 sation of jury commissioners for the District of Columbia shall
 2 conform to the provisions of title 18, chapter 10, section 341,
 3 of the Code of the District of Columbia, but such compensation
 4 shall not exceed \$250 each per annum.

5 Miscellaneous salaries: For salaries of all officials and
 6 employees of the Federal judiciary, not otherwise specifically
 7 provided for, ~~(25)\$987,100:~~ *Provided, That the compensa-*
 8 *tion of secretaries and law clerks of district judges shall be*
 9 *fixed by the Director of the Administrative Office of the*
 10 *United States Courts without regard to the Classification Act*
 11 *of 1923, as amended, except that the salaries of secretaries,*
 12 *exclusive of the differential allowed for higher living costs in*
 13 *the Panama Canal Zone, shall not exceed that of the senior*
 14 *clerical grade and the salaries of law clerks shall not exceed*
 15 *that of the principal subprofessional grade:* *Provided further,*
 16 *That none of this fund shall be used for the pay of a law*
 17 *clerk appointed by a district judge unless the senior circuit*
 18 *judge of the circuit (the District of Columbia being considered*
 19 *a circuit) in which the district where the clerk is needed*
 20 *is situated shall certify to the necessity of the appointment*
 21 *\$1,137,100:* *Provided, That the compensation of secretaries*
 22 *and law clerks to circuit and district judges shall be fixed by*
 23 *the Director of the Administrative Office of the United States*
 24 *Courts without regard to the Classification Act of 1923, as*
 25 *amended, except that the salaries of the secretaries, exclusive*

1 of temporary additional compensation, and exclusive of the
2 differential allowed for higher living costs in the Panama
3 Canal Zone, shall correspond with those of the assistant
4 administrative grade (grade 7 of clerical, administrative and
5 fiscal service) and their basic salaries shall be adjusted by the
6 Director as of July 1, 1943, so that they are given credit for
7 one rate of \$100 in grade 7 for each eighteen months' prior
8 service as secretary to any Federal judge or other United
9 States Government official: Provided further, That the an-
10 nual basic compensation of the secretary to a circuit or district
11 judge shall not (exclusive of temporary additional compensa-
12 tion) exceed \$3,200: And provided further, That the salaries
13 of law clerks shall correspond with those of the assistant
14 professional grade.

15 - Miscellaneous expenses (other than salaries): For such
16 miscellaneous expenses as may be authorized or approved by
17 the Director of the Administrative Office of the United States
18 Courts, for the United States courts and their officers, includ-
19 ing rent of rooms for United States courts and judicial officers;
20 supplies and equipment, including the exchange of type-
21 writing and adding machines, for the United States courts
22 and judicial officers, including firearms and ammunition
23 therefor; stenographic reporting services without regard to
24 section 3709, Revised Statutes, provided that the rates of
25 payment shall not exceed those fixed by the district court

1 pursuant to Rule 80 (b) Federal Rules of Civil Procedure,
 2 in the jurisdiction of which the services are rendered; pur-
 3 chase of lawbooks, including the exchange thereof, for United
 4 States judges, and other judicial officers, including the libra-
 5 ries of the United States circuit courts of appeals, and the
 6 Federal Reporter and continuations thereto as issued,
 7 ~~(26)\$390,000~~ \$391,000: *Provided*, That such books shall in
 8 all cases be transmitted to their successors in office; all books
 9 purchased hereunder to be marked plainly, "The Property of
 10 the United States": *Provided further*, That not to exceed \$2
 11 per volume shall be paid for the current and future volumes
 12 of the United States Code, Annotated, and that the reports
 13 of the United States Court of Appeals for the District of
 14 Columbia shall not be sold for a price exceeding that approved
 15 by the court and for not more than \$6.50 per volume.

16 Traveling expenses: For all necessary traveling expenses,
 17 not otherwise provided for, incurred by the Judiciary, includ-
 18 ing traveling expenses of probation officers and their clerks,
 19 and transfer of household goods and effects as provided by
 20 the Act of October 10, 1940, \$540,000: *Provided*, That
 21 this sum shall be available, in an amount not to exceed
 22 \$4,000, for expenses of attendance at meetings concerned
 23 with the work of Federal probation when incurred on the
 24 written authorization of the Director of the Administrative
 25 Office of the United States Courts: *Provided further*, That

1 United States probation officers may be allowed, in lieu of
2 actual expenses of transportation, not to exceed 4 cents per
3 mile for the use of their own automobiles for transportation
4 when traveling on official business within the city limits of
5 their official station.

6 Printing and binding: For printing and binding for the
7 Administrative Office and Courts of the United States,
8 \$89,000..

9 ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

10 Salaries: For the Director of the Administrative Office
11 of the United States Courts, the Assistant Director, and for
12 other personal services in the District of Columbia and else-
13 where, as may be necessary to enable the Director to carry
14 into effect the provisions of the Act entitled "An Act to
15 provide for the administration of the United States courts,
16 and for other purposes", approved August 7, 1939 (53
17 Stat. 1223), \$243,800: *Provided*, That in expending ap-
18 propriations or portions of appropriations contained in this
19 Act for the payment of personal services in the District of
20 Columbia, the Director shall fix compensation according to
21 the Classification Act of 1923, as amended.

22 Miscellaneous expenses: For stationery, supplies, ma-
23 terials and equipment, freight, express, and drayage charges,
24 washing towels, advertising, purchase of lawbooks and books
25 of reference, periodicals and newspapers, communication

1 service and postage; for the maintenance, repair, and oper-
2 ation of one motor-propelled delivery truck; for rent in the
3 District of Columbia, and elsewhere; for official traveling
4 expenses and other miscellaneous expenses not otherwise
5 provided for, necessary to effectively carry out the provisions
6 of the Act providing for the administration of the United
7 States Courts, and for other purposes, \$24,000: *Provided,*
8 That section 3709 of the Revised Statutes (41 U. S. C. 5)
9 shall not be construed to apply to any purchase or service
10 for the Administrative Office of the United States Courts
11 when the aggregate amount involved does not exceed the
12 sum of \$50.

13 SEC. 202. As used in this title, the term "circuit
14 court of appeals" includes the United States Court of Appeals
15 for the District of Columbia; the term "senior circuit judge"
16 includes the Chief Justice of the United States Court of
17 Appeals for the District of Columbia; the term "circuit judge"
18 includes associate justice of the United States Court of
19 Appeals for the District of Columbia; and the term "judge"
20 includes justice.

21 SEC. 203. No part of any appropriation contained in
22 this Title shall be used to pay in excess of \$2 per volume for
23 the current and future volumes of the United States Code
24 Annotated or in excess of \$3.25 per volume for the current
25 or future volumes of the Lifetime Federal Digest.

1 (27) SEC. 204. *Terms of court at Greenwood, South Caro-*
 2 *lina: Section 105 of the Judicial Code, as amended, is*
 3 *amended by striking out the words "at Greenwood the first*
 4 *Mondays in February and November" in the third para-*
 5 *graph thereof, and inserting in lieu thereof the words "at*
 6 *Greenwood the second Mondays in May and December".*

7 SEC. (28)204 205. This title may be cited as "The
 8 Judiciary Appropriation Act, 1944".

9 TITLE III—GENERAL PROVISIONS

10 SEC. 301. No part of any appropriation contained
 11 in this Act shall be paid to any person for the filling
 12 of any position for which he or she has been nominated
 13 after the Senate has voted not to approve of the nomination
 14 of said person.

15 SEC. 302. No part of any appropriation contained
 16 in this Act shall be used to pay the salary or wages
 17 of any person who advocates, or who is a member of an
 18 organization that advocates, the overthrow of the Govern-
 19 ment of the United States by force or violence: *Provided,*
 20 *That for the purposes hereof an affidavit shall be considered*
 21 *prima facie evidence that the person making the affidavit*
 22 *does not advocate, and is not a member of an organization*
 23 *that advocates, the overthrow of the Government of the*
 24 *United States by force or violence: Provided further, That*
 25 *any person who advocates, or who is a member of an organ-*

1 ization that advocates, the overthrow of the Government of
2 the United States by force or violence and accepts employ-
3 ment, the salary or wages for which are paid from this appro-
4 priation contained in this Act, shall be guilty of a felony and,
5 upon conviction, shall be fined not more than \$1,000 or
6 imprisoned for not more than one year, or both: *Provided*
7 *further*, That the above penalty clause shall be in addition
8 to, and not in substitution for, any other provisions of existing
9 law.

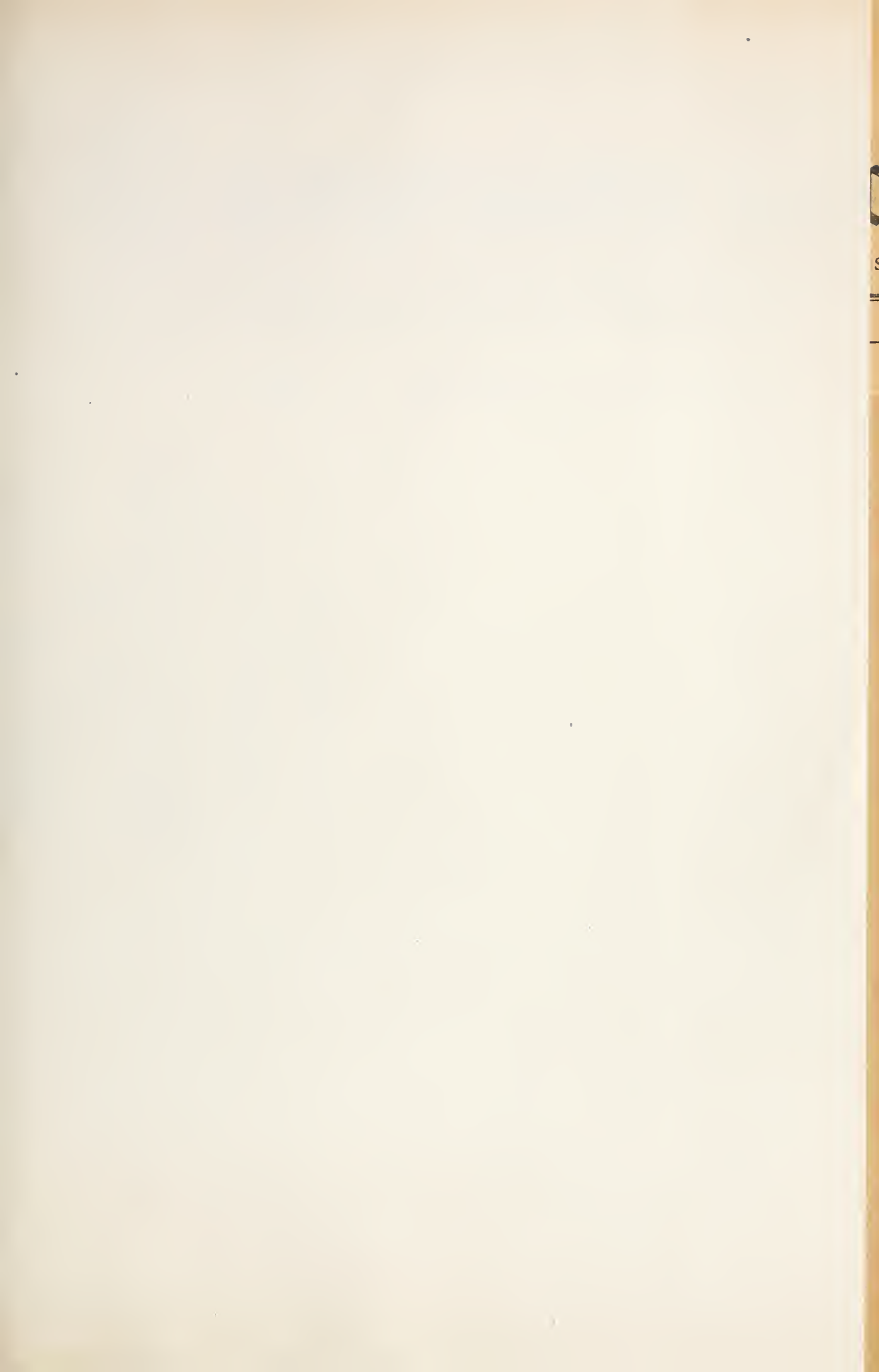
10 SEC. 303. This Act may be cited as the "Legislative and
11 Judiciary Appropriation Act, 1944".

Passed the House of Representatives April 8, 1943.

Attest: SOUTH TRIMBLE,
Clerk.

Passed the Senate with amendments May 17, 1943.

Attest: EDWIN A. HALSEY,
Secretary.



78TH CONGRESS
1ST Session

H. R. 2409

AN ACT

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 1943

Ordered to be printed with the amendments of the
Senate numbered



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 78th CONGRESS, FIRST SESSION

Vol. 89

WASHINGTON, THURSDAY, JUNE 10, 1943

No. 106

House of Representatives

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, the God of our fathers, be near us when we call and answer us when we pray, and when Thou hearest, forgive. There are truths that he who runs may read; there are deeper truths which come only to those who wait and meditate in Thy holy presence. Unfold these, we pray, that we may feel Thy sacred nearness and be led by the fullness of Thy wisdom. In the secret of Thy fellowship, in the depths of soul, preserve us from idle reverie, from the spirit of petulance, from superficial judgment and from the gnawing fragments of self-pity.

We praise Thee for the strength of the life of faith. O may the great crises of today serve to bind us to something beyond the vain, empty repetitions of this world. Dear Lord, give us courage to identify ourselves with every cause of human need, where sorrow cannot wholly rise, whatever the denial or honor it may involve. Fill us with the understanding that the world belongs to him who wills, who knows and prays, trustfully walking with Thee whose ways are paths of peace. In our dear Redeemer's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agency:

1. Department of Agriculture.
2. Department of the Navy.
3. Executive Office of the President (War Manpower Commission).

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1563) entitled "An act authorizing the acquisition and conversion or construction of certain auxiliary vessels for the United States Navy, and for other purposes."

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following department:

Department of Agriculture.

LEGISLATIVE BRANCH AND JUDICIARY APPROPRIATION BILL, 1944

Mr. O'NEAL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2409) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. O'NEAL, HENDRICKS, GORE, KIRWAN, JOHNSON of Indiana, H. CARL ANDERSEN, and PLOESER.

WOMEN LAWMAKERS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection? There was no objection.

Mrs. NORTON. Mr. Speaker, my attention has been called to an article by John O'Donnell in the Times-Herald of June 9, under the caption "Capitol Stuff," in which he quotes a "lady lawmaker." An anonymous statement or letter is always the resort of a coward.

As dean of the women in Congress, I resent this filthy article and believe it to be an unwarranted, contemptible, cowardly attack on all women lawmakers and other women as well. My colleagues in the House are representative of the highest type of womanhood. I know none would author the statement quoted in the article referred to. Nor do I believe Mrs. Hobby would be a party to what is described as a "super secret agreement," reached by the high ranking officers of the War Department. The loose talk that has been indulged in recently concerning our women in the armed service can be nothing less than Nazi-inspired propaganda to frighten the mothers and relatives of young women who have volunteered and those who are considering service in the armed forces.

The issue is not, as he describes it, one of "religion, honor, politics, and medicine," but of decency and morality. I know a great many exceptionally fine, highly qualified young girls serving in difficult positions in the Army, Navy, and marines who could be enjoying every comfort at home had they been less patriotic and more selfish. I know the attacks that have been made on them will be resented by every fair-minded person from one end of the country to the other.

Mr. O'Donnell is doing a great disservice to our country by writing such stuff. If he cannot put on a uniform and serve his country, he should not slander those who are doing so. I am surprised that a reputable newspaper would publish such filth.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection? There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I deeply deplore the article referred to by the gentlewoman from New Jersey [Mrs. NORTON]. She has checked with the women legislators. I have checked also. No woman legislator made any such statement as is reported in Mr. O'Donnell's column.

It is difficult for me to understand why such things are published today, why there is a whispering and an open campaign of statements against the decency and honor of the women of the United States. It is directed not only against the women in the armed forces really, but against women in industry and in agriculture. There is an underlying attack on all women in this country. There is no doubt in my mind—and I have gone into it quite fully and shall continue to go into it—that there is an effort to discredit the splendid women of our country. Nothing would please Hitler more than to do that.

If we ever allow the people of the other nations of the world, or anyone in our own country, to say or believe things about our women that will ruin the whole structure of our great country.

The men of the United States I have always believed to be the most decent, the most honorable of the men of any nation of the world, and I know that each and every one of you would have the deepest resentment against any person who made slanderous remarks about your wife, or your daughter, or your sister. Also I am sure that you will do everything you can to stop this insidious, more than insidious, this open campaign that tends to destroy the faith in the women of our country.

LIDICE

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEFAN. Mr. Speaker, this is June 10, which is the first anniversary of the murder of a village by the Nazis—a murder boastfully proclaimed to the world by them—and which is dedicated by the United States and all the United Nations to remembering.

The thing that we should remember and will remember is a little road leading down a gentle slope to a little village in a valley. It was springtime, and the air was fragrant with blossoms. About 90 roofs clustered about the spire of a church. This was Lidice.

For over 600 years these little cottages, these outlying farms had been handed down from father to son; about 400 people lived there; children played there; men worked there at farming, metal work, and mining. It was a small, happy, ordinary village—remote, peaceful.

Then one night the Nazis came. They came in their stamping boots and brown shirts.

Only one man lives today to tell the story of what happened in Lidice on that ghastly night. He hid in a hole outside the village when the Nazis came. He heard the screaming of the women and the children, the rattling of machine guns, after that the terrible sounds—then the rumble of heavily loaded motor trucks, the bleating of a human herd being driven on the highway. Later he heard the roar of explosives, blast after blast. Then, creeping from his shelter, he saw his village ablaze—all of it.

What he heard was the shooting, before the eyes of their wives, mothers,

children, sweethearts, and grandchildren of 200 men, including an old man of 82; and the driving off of the women and children into concentration camps and correction schools.

Mr. Speaker, other villages have suffered a fate similar to Lidice—Polish, Yugoslav, Chinese villages. But in no other case has the murderer boasted of his crime. Lidice remains forever the flaming example of Nazi self-confessed atrocity.

Now, a year later, as we of the United Nations unload our bombs on Duesseldorf, Berlin, Essen, Dortmund, on Mannheim, we are remembering Lidice.

CORRECTION OF ROLL CALL

Mr. ELMER. Mr. Speaker, in the RECORD of June 4, page 5474, roll call 91, I am recorded as voting "aye." I voted "no." I did not know anything about it until yesterday, when my attention was called to it. I ask unanimous consent that the RECORD be correctly accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DITTER] be granted leave of absence for the remainder of the week, because of serious illness in the family.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. COMPTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Christian Century.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mrs. LUCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the New Republic concerning the Chinese exclusion law.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

(Mr. LAMBERTSON asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, the Office of Price Administration has just started its roll-back program with a subsidy. So that they might make it a little more ridiculous than they could otherwise do they have placed a subsidy upon coffee. The wholesale price of coffee a year ago was 13 cents a pound. Today in this morning's paper the wholesale price of coffee is carried at 13 cents a pound. What common sense can there be in this

unless it is as indicated in this article from the New York Herald Tribune of June 3:

Frank Russell gets Potter's Office of Price Administration job here. Coffee and sugar exchange official will head New York district office of price agency.

This thing is getting to be an awful mess. The further the Office of Price Administration goes with subsidies and the further they attempt to adopt some system which continues to muddle up the price and rationing situation in this country, just so long as they do that the situation is going to get worse and worse. It is time it stopped.

EXTENSION OF REMARKS

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution by the Arkansas Press Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. WEISS. Mr. Speaker, I ask unanimous consent that on Monday next, June 14, after the conclusion of the legislative business of the day and other special orders, I may address the House for 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Merlo Pusey appearing in the Washington Post of June 8.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. MANSFIELD of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Galveston News on the public debt.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. HART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein statements having relevancy to H. R. 2536.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

TEMPORARY ADDITIONAL PAY FOR RURAL LETTER CARRIERS

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. BURCH].

Mr. BURCH of Virginia. Mr. Speaker, I ask unanimous consent for the



United States
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PROCEEDINGS AND DEBATES OF THE 78th CONGRESS, FIRST SESSION

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U. S. DEPARTMENT OF AGRICULTURE

Vol. 89

WASHINGTON, THURSDAY, JUNE 17, 1943

No. 112

Senate

The Senate was not in session today. Its next meeting will be held on Friday, June 18, 1943, at 12 o'clock meridian.

House of Representatives

THURSDAY, JUNE 17, 1943

The House met at 11 o'clock a. m.
The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, while we pray for pardoning grace, restore to us our simple faith. In this historic Chamber, associated with the labors of mind and heart, grant that we may love the blessed gifts of life and never touch the ark carelessly, nor soil the sacred vessels on the altar of the soul. We praise Thee that Thou art our encompassing tabernacle and a shelter in every stormy blast.

Heavenly Father, in these perilous times human hearts everywhere are feeling the strain of adversity, conflict with temptation, the pangs of loss and bereavement. O bring from the clouds Thy eternal promises and enable us to claim them as our very own. Bring reconciliation to all who are in the hard school of life and make their acceptance as solid as the Rock of Ages. In Christ, the apples of gold are set in the baskets of silver, shining forth in unhindered glory; invest us with great influence for good; dower us with spiritual riches and bless us with merited favor in the sight of all men, and in everything may we give thanks, revealing it with newer and richer tokens of our love and gratitude for our own dear land of the free. Through Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend and revise my remarks on the food situation in Butte, Mont., and to include therein a number of communications.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and to include therewith the proceedings of the Memorial Day exercises at Charleston, S. C., at Magnolia Cemetery on May 10, included in which is a very able address by the gentleman from South Carolina, Congressman JOSEPH R. BRYSON.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

LEGISLATIVE BRANCH AND JUDICIARY APPROPRIATIONS BILL, 1944

Mr. O'NEAL submitted the following conference report and statement on the bill (H. R. 2409) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2409) "making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 24.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 26; and agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "\$1,087,800: *Provided*, That the compensation of secretaries and law clerks to circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of the secretaries, exclusive of temporary additional compensation, and exclusive of the

differential allowed for higher living costs in the Panama Canal Zone, shall correspond with those of the assistant administrative grade (grade 7 of clerical, administrative and fiscal service): *Provided further*, That the annual basic compensation of the secretary to a circuit or district judge shall not (exclusive of temporary additional compensation) exceed \$3,200: *And provided further*, That the salaries of law clerks shall correspond with those of the assistant professional grade"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 20, 27, and 28.

EMMET O'NEAL,
MICHAEL KIRWAN,
JOE HENDRICKS,
NOBLE J. JOHNSON,
H. CARL ANDERSEN,
WALTER C. PLOESER,

Managers on the part of the House.

MILLARD E. TYDINGS,
JOHN H. OVERTON,
THEODORE FRANCIS GREEN,
FRANCIS MALONEY,
WALLACE H. WHITE, Jr.,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2409) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Nos. 1 to 19, inclusive, relating to the Senate: Appropriates for employees and other items, as proposed by the Senate.

No. 21: Appropriates \$291,000, as proposed by the Senate, instead of \$289,200, as proposed by the House, for Capitol Buildings.

No. 22: Appropriates \$306,955 for maintenance of the Senate Office Building and provides that the unexpended balance of \$7,300 for the same purpose shall continue available until June 30, 1944, as proposed by the Senate, instead of appropriating \$313,560, as proposed by the House.

No. 23: Appropriates \$2,570,280 for salaries of clerks of courts, as proposed by the Sen-

ate, instead of \$2,542,900, as proposed by the House.

No. 24: Restores the provision of the House, proposed to be stricken out by the Senate, which prohibits the use of funds to pay the cost of maintaining the office of clerk in certain United States district courts.

No. 25: Appropriates \$1,087,800 for salaries of officials and employees of the Federal judiciary, instead of \$987,100, as proposed by the House, and \$1,137,100, as proposed by the Senate, strikes out the provision of the House relating to the salaries of secretaries and law clerks of district judges; and inserts the proposal of the Senate amended to eliminate the provision relating to retroactive salary increases.

No. 26: Appropriates \$391,000, as proposed by the Senate, instead of \$390,000, as proposed by the House, for miscellaneous expenses, United States courts.

AMENDMENTS IN DISAGREEMENT

The following amendments are reported in disagreement. The subject matter of such amendments, and the action proposed to be recommended with respect thereto by the managers on the part of the House, are as follows:

No. 20, relating to \$100,000 for preliminary work in connection with preparation of a new edition of the United States Code. The House managers will recommend that the House insist on its disagreement.

No. 27, relating to the terms of court at Greenwood, S. C. The House managers will recommend concurrence in the Senate amendment.

No. 28, correcting a section number. The House managers will recommend concurrence in the Senate amendment.

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MICHAEL KIRWAN,
JOE HENDRICKS,
NOBLE J. JOHNSON,
H. CARL ANDERSEN,
WALTER C. PLOESER,

Managers on the part of the House.

APPROPRIATIONS FOR WAR AGENCIES IN THE EXECUTIVE OFFICE OF THE PRESIDENT, 1944

Mr. CLARK. Mr. Speaker, I call up House Resolution 264 and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 264), as follows:

Resolved, That during the consideration of the bill (H. R. 2968) making appropriations for war agencies in the Executive Office of the President for the fiscal year ending June 30, 1944, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived.

Mr. CLARK. Mr. Speaker, it appeared to the Rules Committee upon the consideration of this resolution, that the appropriation bill was reported to the House by unanimous action of the committee, and the committee was also unanimous, according to our information, in requesting the granting of a rule waiving points of order. Under those circumstances, I see no good to be served by consuming time in a discussion of the rule.

I yield to the gentleman from New York [Mr. FISH] such time as he may require.

Mr. FISH. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I propose to confine my remarks to the rule, and I agree with my distinguished friend from North Carolina [Mr. CLARK] that the rule was adopted unanimously and at least nobody came before the Rules Committee

to oppose the waiving of all points of order against items in this large appropriation bill.

I simply want to go on record, although I voted for the rule I did so with some reluctance, to say that I am opposed as a general proposition to this procedure. There is no question that when they come before the Rules Committee and ask for a rule of this kind that it means trespassing upon the rights and prerogatives of the legislative committees of the House and the procedure, therefore, is bad from the beginning to the end. I suppose there is some excuse for asking for a rule of this kind. The Appropriations Committee wants to get through with the appropriation bills and pass them and have them adopted by the 1st of July and unless the Committee on Rules helps out by waiving all points of order, it might well be that these large appropriation bills that have to do with the war effort would not be disposed of by the 1st of July.

It also might well be that we would not be able to adjourn by the 10th of July, which is hoped for, I think, by every Member of the House, unless we on the Rules Committee cooperate to pass and adopt rules that we should not be called upon to do, because every time we do it we take away from certain committees of the House their rights and prerogatives to present legislation which is their responsibility and their duty to do. Therefore, I am making this explanation because I do not propose to make it a habit to go along at the request of the Appropriations Committee to permit them to become a legislative committee and add on legislation to appropriation bills, contrary to the rules of the House. That is exactly what we are doing and I want all Members of the House to know that they have the right to vote the rule up or down and that we are merely presenting the rule. I do not suppose there will be any opposition to it, but I wanted the facts presented to the House so the Members will know exactly what they are doing.

Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, we all regret, I am sure, that there has been such controversy with respect to the agency which the Congress set up to prevent inflation; I refer to the Office of Price Administration. I believe criticism of the Office of Price Administration is well-founded. We in the Congress should understand that any law depends for its successful operation primarily upon the administration of that law. From the very beginning the administration of O. P. A. has been in a terrible mess; it has caused confusion; it has gone so far as to break down confidence in the Government as a whole, all because bad judgment has been used in the administration of a law which was set up in response to popular demand and which had as its purpose the stabilizing of all prices.

O. P. A. started out under a man who had a reckless disregard of the economic consequences of his acts. Leon Henderson apparently had a most peculiar com-

plex: he loved to be hated by the people, and it seemed to many of us that in all of his actions he gave more thought to his ambition to be hated by the American people than he did to doing the job we set up for him to do, to stabilize prices. I do not know whether it was the fault of Leon Henderson or not, but I do know there has been more intellectual dishonesty in the administration of the price control acts than any other act which this Congress has ever passed. The clear intent of Congress has been defied. Surely the Office of Price Administration having had their counsel sit in on the conferences knew what the intent of Congress was in respect to the stabilization of prices, and when they do the things they have done and are doing in clear defiance of congressional intent we cannot but believe that it is not the result of an accident or an unfortunate interpretation of the law but is the result of a deliberate arrogant attempt to put the Congress in a most unfavorable light in respect to inflation. The administration has all the power it needs to stabilize prices. There is no reason why we should have this controversy today and following this perhaps for weeks over whether subsidies should be paid to stabilize prices; and let me make this statement: I defy anyone in the administration or out of the administration to find any language whatsoever in the price control acts which authorizes subsidizing of consumer prices. The subsidies in the price control acts are all predicated upon the necessity for encouraging the maximum amount of production. It was in keeping with a policy which Congress had adopted a good many years ago when it set up the Commodity Credit Corporation. We stabilized prices to the producer in order to assure the people, in order to assure the armed forces an adequate supply of food and incidentally munitions of war.

The language in the act is very clear, that in order to obtain the maximum of production of all these commodities the O. P. A. was authorized to subsidize them; and let me say in this connection also that in none of the R. F. C. acts is there authority for the R. F. C. or any other agency of the Government to subsidize consumer prices. Likewise the provisions of the Reconstruction Finance Corporation Act in respect to subsidies were predicated upon the desire and the necessity to maintain a maximum production of essential goods to carry on this war. We gave R. F. C. the authority to subsidize for what purpose? For the purpose of guaranteeing a maximum quantity of essential and critical materials, and primarily we had in mind minerals. We on the committee told the Members of the House when the bill was being considered that they wanted this authority primarily to get copper, that copper could be produced out in the far West under a ceiling of 10 cents a pound, but copper could not be produced in the Michigan mines at less than 14 cents a pound, and R. F. C. said it wanted the authority to buy the Michigan copper at 14 cents a pound and sell it under the ceiling price of 10 cents a pound. That was sensible and it opened

LEGISLATIVE BRANCH AND THE JUDICIARY APPROPRIATION BILL, 1944

JUNE 17, 1943.—Ordered to be printed

Mr. O'NEAL, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 2409]

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In lieu of the matter inserted by said amendment insert the following: "\$1,087,800: *Provided, That the compensation of secretaries and law clerks to circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of the secretaries, exclusive of temporary additional compensation, and exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall correspond with those of the assistant administrative grade (grade 7 of clerical, administrative and fiscal service):* *Provided further, That the annual basic compensation of the secretary to a circuit*

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Managers on the part of the House.
MILLARD TYDINGS,
JOHN H. OVERTON,
THEODORE FRANCIS GREEN,
FRANCIS MALONEY,
WALLACE H. WHITE, Jr.,
Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2409) making appropriations for the legislative branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

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Managers on the part of the House.



view of the fact that our bureaus have sent out complicated questionnaires that create headaches all over the country, and this document will at least allay worried taxpayers' headaches.

REPORT OF COMMITTEE ON UN-AMERICAN ACTIVITIES, 1934

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 254, authorizing the Librarian of Congress to deliver to the House Committee on the Library all materials deposited with the Librarian by the special committee of the House of Representatives on un-American activities, Seventy-third Congress, second session.

Mr. RANKIN. Mr. Speaker, reserving the right to object, and, of course, I have no objection to the Attorney General's Office having access to these papers, but the Attorney General's Office made such a fiasco in its recent activities in Mississippi that I have not the confidence that I ought to have in the Attorney General's Office, and especially since that episode has probably contributed to the Nation-wide race troubles we are having today. These are secret papers. They contain information that was acquired by the Committee on Un-American Activities almost 10 years ago. I am not willing for these papers to get out of the jurisdiction of a committee of Congress unless a photostatic copy of every one of them is retained.

Mr. PATMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. RANKIN. I yield.

Mr. PATMAN. I feel that some care must be given to this question, just as does the gentleman from Mississippi, but if the gentleman will carefully read this resolution as it is proposed to be amended, these papers do not go to the Attorney General; these papers go to the Committee on the Library, and then if the Attorney General wishes to see them he may come up and see them in the presence of the Committee on the Library, or at least the committee can safeguard them. That is the object of it. I personally am not willing to take the responsibility of withholding these papers from the Attorney General at this time when some people who are likely affected by these papers are on trial. I hope the gentleman will not object; I am not going to object. The Committee on the Library can permit any Member or committee of the House to inspect these papers and I have reasons to believe they will be reasonable in the exercise of this discretion.

Mr. RANKIN. I feel that if this will help the Attorney General's Office in the trial of these cases we should let him have them. Those cases should be tried now. I am not objecting to the Attorney General's having access to these papers, but I do not want these papers to get out of the hands of the Congress of the United States, because there is information in them, as I understand it, that is vitally necessary for the Congress to have access to in the future. I do not want to do anything that will delay the prosecution of these people who are under indictment. I do not care what these

Communist newspapers say, I want these people brought to trial immediately, and if they are guilty they should be convicted and punished. I do not want to withhold any information that would aid the Department of Justice in that respect; but I certainly want to see that these papers are retained where the Congress will always have access to them.

Mr. O'TOOLE. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. O'TOOLE. I wish to inform the gentleman from Mississippi that when this resolution was originally drawn it provided that the papers were to be turned over to the Attorney General. The Committee on the Library saw fit to amend the original resolution so that the papers now will be kept in the custody of the Committee on the Library. This has been agreed to.

Mr. RANKIN. So these papers will be retained by the Committee on the Library in the hands of the Congress of the United States.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. HOFFMAN. I know nothing about what these papers contain, but I agree with the gentleman from Mississippi that if there is anything in them that will aid the cause of justice, let the Attorney General have them; but why should not Members of Congress at least have access to the papers? The chances are that the papers contain a lot of hearsay; nevertheless, if they are to be made available to the Attorney General why not make them available to Members of Congress?

Mr. RANKIN. As soon as the Attorney General gets through with the prosecution of these cases I hope he will get busy prosecuting these Communists that are stirring up these zoot-suit riots and these race riots all over the country that are doing more harm than anything else except these unjustified strikes in our war industry. I hope the Attorney General will wake up to the fact that the Communists are stirring up race troubles from Detroit to El Paso.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Resolved, That the Librarian of Congress is authorized and directed to deliver to the Attorney General for such use as the Attorney General may deem appropriate, all material deposited with the Librarian by the Special Committee of the House of Representatives on Un-American Activities, Seventy-third Congress, second session, including the contents of a sealed package inscribed "House of Representatives, Special Committee on Un-American Activities, 1934. Hearings Confidential," the content of which package shall be returned to the Librarian of Congress after the Attorney General has made such use of the same as he has deemed appropriate.

With the following committee amendments:

Page 1, line 2, strike out "Attorney General" and insert "House Committee on the Library."

Page 1, line 3, strike out "The Attorney General" and insert "that committee."

Page 1, line 11, strike out "Attorney General" and insert "House Committee on the Library."

Page 1, line 13, strike out "he" and insert "it."

The committee amendments were agreed to.

The resolution was agreed to, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made by Hon. Paul V. McNutt.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert therein a statement made by Hon. Marvin Jones before the House Committee on Agriculture concerning the food conference held recently in Virginia.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Indianapolis Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LT. FLYNN HUMPHREYS

Mr. SPARKMAN. Mr. Speaker, our visiting chaplain this morning was Lt. Flynn Humphreys, chaplain in the Navy. Early in this war he expressed a desire to get into it. He obtained an appointment and gave up for the duration one of the best pulpits in my home city of Huntsville, Ala., that of the Central Presbyterian Church. During the time he has been in the service he has seen much, as the ribbons which he wears on his breast indicate.

He has just returned from Attu. He was there during the taking of that rocky stronghold from the crafty Japanese. To talk with him about those operations is to know better how the Japs tenaciously held on and savagely fought to the death to the last man. It is to know better how long and how hard is the road ahead before we have won this war. He has been in action, ministering to the dying sons of ours. He has had them die in his arms unafraid and confident

that their dying was worth while. To hear him tell of them is to remind us of the terrible responsibility resting on each one of us back here on the home front to see that that faith has not been misplaced and that their death has not been in vain.

EXTENSION OF REMARKS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend in the RECORD under an extension of my own remarks an address by the Honorable Chester Davis.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. SIKES]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an article by David Lawrence.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GAVIN]?

There was no objection.

[The matter referred to appears in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SCOTT]?

There was no objection.

[Mr. SCOTT addressed the House. His remarks appear in the Appendix of today's RECORD.]

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an article from the New York Times by Arthur Krock on June 22.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SCOTT]?

There was no objection.

EXTENSION OF REMARKS

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution of the Missouri Senate in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. PLOESER]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Catholic magazine America.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BENDER]?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own re-

marks in the RECORD and to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

THE CORN SHORTAGE

Mr. HOFFMAN. Mr. Speaker, here is another of the hundreds of protests I have received:

We supply egg and milk producers covering area 25 miles north and south, 10 miles east. Absolutely impossible secure corn; none on hand. Hundreds of feeders will have to do without. Relief must be given immediately. Posting this on billboard for them to read showing our efforts their behalf. Its up to you.

SOUTHAVEN FRUIT EXCHANGE,
CORNELLUS BUS, Manager.

I passed the buck and replied as follows:

Your wire received. Corn shortage due to the President's New Deal policy and Agricultural Adjustment Agency program. If the poultry dies and the milk cows go to the slaughter house, it is the fault of the President's New Deal bureaucrats. Make your protest to them.

Mr. Speaker, I have done all I can to remedy the situation. I have protested many, many times. I am now as always ready to go along with those Members who wish to abolish these bureaus which are interfering with production so that we will be able to get poultry, beef, eggs, and the food we must have next winter.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a recent editorial from the Norwich Sun.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

[The matter referred to appears in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

[Mr. SABATH addressed the House. His remarks appear in the Appendix of today's RECORD.]

COMMODITY CREDIT CORPORATION

Mr. SABATH, by direction of the Committee on Rules, reported the following privileged report (H. Res. 270, Rept. No. 572), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 2869, a bill to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise

the basis of the annual appraisal of its assets, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

LEGISLATIVE BRANCH AND THE JUDICIARY APPROPRIATION BILL—1944

Mr. O'NEAL. Mr. Speaker, I call up the conference report on the bill (H. R. 2409) making appropriation for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the full report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. O'NEAL]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

(For conference report and statement, see proceedings of the House of June 17, 1943.)

Mr. O'NEAL. Mr. Speaker, the statement speaks for itself. We bring back for a vote of the House three amendments in disagreement, which will be explained later. I do not believe there is much necessity for explaining the amendments which are covered in the statement of the managers on the part of the House because most of them are amendments to the Senate part of the bill. As you know, the House writes its own appropriation bill and the Senate practically always approves what we put in the bill for the House. We in turn pass the bill relating to Senate matters to the Senate, and have no hearings on the items nor do we question what they do with reference to their own appropriations.

I think there is nothing else in the report itself that needs further explanation except for the three amendments in disagreement, which will be considered later.

Does the gentleman from Indiana desire to make any statement on the conference report?

Mr. JOHNSON of Indiana. I believe not.

Mr. O'NEAL. I move the previous question, Mr. Speaker.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 20: On page 28, line 10, insert the following:

"For preliminary work in connection with the preparation of a new edition of the United States Code, including the correction of errors as authorized by the act approved March 2, 1929 (45 Stat. 1541), \$100,000, to be expended under the supervision of the Committee on the Revision of the Laws."

Mr. O'NEAL. Mr. Speaker, I move that the House insist on its disagreement to Senate amendment numbered 20.

Mr. KEOGH. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. KEOGH moves that the House recede from its disagreement to the amendment of the Senate No. 20 and concur therein.

Mr. KEOGH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEOGH. May I be advised as to the disposition of the time on this motion?

The SPEAKER. The gentleman from Kentucky has the floor and controls the time.

Mr. O'NEAL. Mr. Speaker, I yield myself 5 minutes, and I shall explain to the gentleman from New York what the chairman of the committee has in mind.

The gentleman from New York, the chairman of the Committee on Revision of the Laws [Mr. KEOGH], appeared before the subcommittee before this bill was presented to the House, asking for \$100,000 to be used in the preparation of a code. The details of that matter will be explained later. The committee did not put that item in the bill because, for one reason, in the opinion of the committee, the way it was drawn the appropriation was not authorized by law.

Later the gentleman from New York offered an amendment in the Committee of the Whole which was considering this bill and the amendment was adopted. When the amended bill was presented to the House for action a separate vote was demanded and, on a record vote, the amendment of the gentleman from New York was defeated.

The gentleman from New York went to the Senate, and I may say certainly with the knowledge of the chairman and possibly other members of the subcommittee, because all of us wanted to extend all the courtesies we could to a committee of the House and to the gentleman from New York. The Senate inserted an amendment authorizing this study and appropriating the money for that purpose.

I want to be very frank with the House and state that the chairman of the subcommittee was not opposed to the amendment offered by the gentleman from New York. I felt that the work has to be done some time and that it is a most important work. But due to the fact that the House had voted on a record vote against the amendment offered by the gentleman from New York, I stood with my committee, so we bring this amendment of the Senate back to the House with the recommendation that the House further insist on the House position.

Personally, I have very little to say on the matter because, frankly, at heart I feel that possibly it is just as well to do this now as to do it later. The gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] is the gentleman who opposed the amendment and made the point of order which resulted in a record vote on it. It is my purpose, I may say to the gentleman

from New York and to the gentleman from Minnesota, to try to divide the time which I control, the balance of the hour, fairly between the two sides, those who are for this proposition and those who are opposed to it. The center aisle has nothing to do with the allotment of the time. I shall be very glad to try to divide the time as equitably as I can.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Speaker, when this amendment was before the House previously the distinguished chairman of the subcommittee [Mr. O'NEAL] said at the outset of the debate:

We are not willing, as a committee, to put it in this bill. I think perhaps the committee members will vote against it, but we believe the work is highly important. Its cost is \$100,000, and we wanted this Committee of the Whole to decide whether or not we would go ahead with this expenditure at this time.

The vote in the Committee of the Whole was 103 to 67 in favor of the amendment. After the bill was brought back to the House a separate vote was demanded and on a division the amendment carried 92 to 72. A point of order was then made that a quorum was not present and on a roll call vote the amendment was defeated—yeas 177, nays 184, not voting 73.

If the Congress does not feel that this work is satisfactorily done or that it is not of great advantage to the country, then the Congress can very easily and properly refuse any future appropriations for codifications of other branches of the law. However, all of you have seen the District of Columbia Code which was prepared for the first time in the history of this country as a completely annotated edition of the code. The Committee on Revision of the laws did that work at a cost of \$32,500. Anyone who has had occasion to refer to this code will undoubtedly agree that this work will be of great value to the country.

The last time the Judicial Code of this country was revised was in 1911. It was done under the direction of a temporary commission at a cost of approximately \$230,000. For years it has been generally agreed that codification of the various branches of the laws of the United States would be of great value to the bar and to individual citizens. For at least 25 years this has been practically the unanimous opinion of the Committee on Revision of the Laws, whether the House was controlled by the Democrats or Republicans. In respect to the present appropriation, every member of your present committee, both Republican and Democrat, are supporting it. Our opponents have been kind and generous enough to frankly admit that this work is important and necessary and would have lasting value. Their opposition is based on the premise that it should not be done in wartime. However, Napoleon found time to codify the laws during his military campaigns over Europe at a cost relatively greater in those times than would be the present cost to us. His codification of the laws has been one of his lasting contributions to civilization. I feel sure that this codification would

also have a very lasting and permanent value and that if it is further delayed it may never be done. Also I feel that, with his experience in the codification of the District of Columbia Code and the United States Code, not one could be better fitted to be the chairman of the committee conducting this work than the able gentleman from New York.

One argument made against this amendment previously was that it would only be of benefit to members of the bar and the legal profession. Actually the opposite is more true. It would be of greatest advantage to the everyday average citizens of the United States. Most lawyers charge on the basis of the services rendered. Naturally one of the chief items in their bill is the amount of time which it is necessary for them to spend looking up the law on the subject. While the laws are in the jumble which now exists, obviously the legal profession must spend more time and study in research and consequently render higher bills to their clients. In addition, it is extremely difficult at times for the judges who are trying the cases to find the proper reference in the statutes; and if they should make an error due to this cause, then an appeal is necessary and the client has to bear the cost of that. The savings which would result from codification would be directly reflected in lesser fees paid by clients to their lawyers. Furthermore, the average man would be able more easily to understand just what the statutory law on the subject was.

Mr. O'NEAL. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. KLEBERG. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. GRAHAM. I yield.

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an article appearing on the first page of today's New York Times with reference to the cattle-and-beef subsidy situation.

The SPEAKER pro tempore (Mr. BULWINKLE). Is there objection to the request of the gentleman from Texas?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

Mr. GRAHAM. Mr. Speaker, there is an old Latin proverb to the effect that "amid the clash of arms the law is silent." The law may be silent in parts of the known world today but it is very vocal in the United States of America. The proposal now is to grant this appropriation for the recodification of two titles of the United States Code Annotated, to wit, titles Nos. 18 and 28.

The first of these is embraced in three volumes which refers to the Criminal Code and criminal procedure. The second is embraced in the remaining nine volumes, which relate to the judiciary.

The first compilation of laws under the Committee on Revision of the Laws, constituted in 1868 under the rules of this House, was in 1873. It is a singular fact and rather a coincidence that these

laws were enacted on the 22d day of June 1874, 69 years ago today.

Since that time there has been enacted the Judicial Code, the Criminal Code, and more recently we have had the passage of an act providing for the promulgation by the Supreme Court of new criminal court rules. I direct attention, first of all, to the fact that the Judicial Code embraced in these 9 volumes, since it was enacted, has been amended over 200 times. I cite that to show the necessity for bringing this code up to date.

With reference to the proposed criminal rules, may I state something to you since I have had the privilege and opportunity of examining these new rules? They are in a draft form and have been submitted to the Chief Justice of the Supreme Court of the United States. You understand that these rules will be integrated as a part of the criminal law. Under the rules as presented there are nearly 313 pages, and they are printed in an appendix of 29 pages—of forms—there are 56 of these rules. There is a constant advance and growth in the development of law. It is not static, it is not stationary, and we must keep abreast of it by having the law current at all times, and the reason for that is perfectly simple. It must be readily accessible to the people who must use it, not only to the lawyers and the courts, but to all of the departments of government and to everyone who must deal with the Federal statutes.

I would like to give you the advantage of a set of figures which I dug up in the last few days. The credit for this must be given to the Honorable Walter Chandler, a former Member of this House, a member of the Committee on the Judiciary, and, in my judgment, one of the ablest men ever serving here. I want to tell you now what he pointed out not only as a reason for a revision of these rules and laws but also the necessity for keeping abreast of them. First of all, he referred to those sections relating to the judiciary not expressly repealed which should be repealed or incorporated in the new Judicial Code, 88 sections of them; and, second, the provisions included in title 28, United States Code, which have been amended or superseded by later legislation found elsewhere in an existing compilation, some 17 sections. In other places there is no indication at all in the sections in question that they are affected by the last provision. Forty-four sections are involved in the third classification. Fourth, these provisions included in title 28, United States Code, which have been amended or superseded by later legislation not mentioned in an existing compilation, 14 sections in all.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. O'NEAL. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. JOHNSON].

Mr. JOHNSON of Indiana. Mr. Speaker, when this matter first came before the House it was through an attempt made to insert this amendment. It is now again before the House. This amendment calls for an expenditure of \$100,000 for preliminary work toward

recodifying the laws. I do not know how much the whole job will cost. There has been no estimate furnished us as to how much it will cost. I think the evidence before our committee established that there had been negotiations entered into or discussions had with one or more law-book companies, and it was proposed to pay them \$85,000 to do, I presume, what we would term this "preliminary work" toward the recodification of these laws. When the matter was presented to the committee originally, the committee would not incorporate it in the bill. When the bill came on the floor of the House, the amendment was offered. It went to a roll call vote, and the House defeated the amendment. It seems to me that the action of the House at that time was wise. One of the reasons is that to me this is no time to attempt to recodify these laws. We have many rules, regulations, directives, and what-not which will expire at the expiration of the war or 6 months thereafter. We could not make an up-to-date codification of the laws at this time.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Indiana. Yes.

Mr. HOFFMAN. In view of the last Supreme Court decision in which it is held that the rules and regulations and orders and directives of men in the employ in the various departments are law, how can anyone codify the law? How is it possible? You cannot keep them up to date, because they come out daily.

Mr. JOHNSON of Indiana. I thank the gentleman for his contribution. I think that is the situation which confronts us regularly, and will continue until this war is over. We are confronted with a proposition here, Mr. Speaker, where this matter has not been submitted to the Budget. It has not been recommended by the Budget, and has not been recommended by any department of the Government.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Indiana. Yes.

Mr. KEOGH. The gentleman knows that this item was submitted to the Budget, but being an item for legislative estimate, the Budget Bureau makes no recommendation.

Mr. JOHNSON of Indiana. I do not know about that, but I thank the gentleman. The Budget did not recommend it as the gentleman says, because it is a legislative matter. I do not care what the reason is. The statement I made is correct. It has not been recommended by the Budget, it has not been recommended by the Department of Justice, by the courts, or by any other agency of the Government that I know of.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. KEOGH. The gentleman knows, as a matter of policy, the the Bureau of the Budget makes no recommendation with respect to items for the legislative branch?

Mr. JOHNSON of Indiana. That is correct.

Mr. KEOGH. I am sure the gentleman does not mean to mislead the House

in attempting to imply that this item was the only one that the Bureau of the Budget made no recommendation upon?

Mr. JOHNSON of Indiana. No; I am not making that statement at all. I say it has not been recommended by the Bureau of the Budget, by the courts of this country, by the Department of Justice, or by any other agency of government. I admire the gentleman from New York in his great desire to accomplish a work. I think it would be in good hands if he did the work, but I do not think this is the time to do it. Every day we read statements in the papers from the Treasury Department that we must raise taxes in order to get money to carry on the war. They are asking the boys to spend their dimes to buy stamps to win the war; they are asking that we save manpower; and to do everything that can be done to help the boys across the water. Here we are asked to take \$100,000 at this time to make a preliminary work in connection with recodifying the laws, although we have been getting along very well without it. I think it was in 1929 that authority for recodification of laws was granted by an act of Congress, and we waited from 1929 until this year of national emergency to come here and say, "It is a must case; we must do it now." I think we would be much better off if we would wait until this emergency is over. It may be at that time there will be need for employing some manpower and this might well be used at that time. We should wait until things are stabilized and then we will have an opportunity to have this job done when it will be lasting and of benefit.

Now, there is one other matter I would like to speak of.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. KUNKEL. The gentleman in his remarks gave the indication to me that this was just to start some general preliminary work. Naturally, this will make a complete codification of two branches of the law. So that if nothing further is ever done, you will nevertheless have two completed items as a result of this codification. If they prove satisfactory, you can go on from there or not, as future Congresses see fit.

Mr. JOHNSON of Indiana. The amendment reads:

For preliminary work in connection with the preparation of a new edition of the United States Code.

Mr. KEOGH. Will the gentleman yield further?

Mr. JOHNSON of Indiana. I cannot yield. The gentleman has much more time than I. In fact, I felt the gentleman from New York should have made his statement and given us a chance to reply instead of waiting. However, that is something that we have no control over.

There is one thing that I want to speak about. When this bill went to the other end of the Capitol many amendments were added. The House, in conformity with its usual practice, has receded, and receded, and receded. That is about all we know—to recede. This is the only

amendment added in the Senate about which there is any real objection and about which any effort will be made to carry the bill back to conference. I, for one, Mr. Speaker, believe that the House of Representatives, when it takes a stand, as it did in this case on a roll-call vote, should stand by the position it has taken. I am getting mighty tired of seeing legislation day after day and week after week go to the other side of the Capitol and there be materially changed in many, many ways, and then come back to the House, always with the House of Representatives receding. I think it is high time the House of Representatives stood up and asserted its rights on legislation, and when it takes a position it should stand by that position.

Mr. O'NEAL. Will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. O'NEAL. Of course the motion made by this committee is to further insist upon the position of the House.

Mr. JOHNSON of Indiana. Yes. I appreciate that. I think the chairman of the subcommittee indicated to us that he favored the amendment that had been offered.

Mr. O'NEAL. The gentleman's subcommittee wanted to be perfectly frank about the matter and did state that he thought it was probably as well to do it now as later, and has always taken that position.

Mr. JOHNSON of Indiana. That is right. The gentleman has done good work as chairman of the subcommittee.

Mr. HOFFMAN. Will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. HOFFMAN. Speaking about the House receding, does not the gentleman think it is about time we called upon the Senate to take some action on the Smith bill and the Hobbs bill that we sent over there and they have pigeonholed for a year or two?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. O'NEAL. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. JOHNSON of Indiana. Mr. Speaker, I know that this matter is one about which a lot of work has been done. I admire the gentleman from New York [Mr. KEOGH] for his industry as well as his ability. I understand that he was so industrious that he went around and secured some 29 or 39 letters from Members who were absent when the other vote was taken. He is such a fine gentleman that he almost disarms you before you could ever enter into any sort of discussion with him. I have the highest regard and respect for him. I admire him for the position he has taken. He took the position, as I understand, that he is chairman of the Committee on Revision of the Laws and if he does not get funds he is not going to be able to do anything in the next 2 years, and therefore we should keep him occupied and we should pass this amendment so that he will have something to do. I say I admire his industry. I admire his ability. He presented this matter in one of the finest ways in which any matter could be pre-

sented to any committee. I want to pay him the highest kind of compliment that it is possible to pay him. But after all, we are trying to legislate, not in the interest of an individual or to satisfy the desire of someone to do work, even though that work might be worth while.

We are trying to legislate here in the interest of the people of the United States and at this time, under the present emergency, with the condition we find ourselves in regarding finances, the need of money to carry on the war, and with the prospect of a great many more taxes, it seems that the House once having taken action on this matter should stand by the action heretofore taken.

The SPEAKER. The time of the gentleman has again expired.

Mr. O'NEAL. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, as to the necessity for codification of the law, I would like the privilege of referring the House to just one out-of-date section of the code which reads as follows:

In all contracts made for service for the House of Representatives involving the employment of horses, the expenses of keeping such horses shall be covered by the contract; and no money appropriated for contingent or other expenses by the House of Representatives shall be expended for stables or forage.

That shows how antiquated some parts of the laws are.

The fact is that the American Law Institute at this time is preparing a restatement of the laws of all the States of the United States; the fact is that I was a member of a committee in Pennsylvania which recently completed a codification of the criminal laws of Pennsylvania; the fact is that in all the 16 legal systems of the world you will find that after many wars, the old and the new laws were codified; that is true with respect to the Napoleonic Code, the Hammurabi Code, and others, all came about as a result of a conflict.

If there is any time to have a codification, in my judgment, it is right now.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the distinguished gentleman from Pennsylvania.

Mr. SCOTT. I would like to take the opportunity to say that I have been associated with the gentleman on that same Committee in Pennsylvania, and I would like to pay tribute to the very constructive work he did in the codification of the laws and I know that he knows whereof he speaks.

Mr. MURPHY. I want to thank the gentleman. I will say that in Pennsylvania they are now working on a codification of the code of criminal procedure. Certainly there is no better time to start than the present.

Mr. H. CARL ANDERSEN. Mr. Speaker, with my chairman's permission, I think this might be a very logical time for the gentleman who is offering the amendment to tell the House what it is all about. May I inquire if the gentleman from New York would like to explain to the House his amendment?

Mr. O'NEAL. Does the gentleman desire to yield time to the gentleman from New York?

Mr. H. CARL ANDERSEN. No; I desire that he take his own time.

Mr. O'NEAL. Mr. Speaker, I yield to the gentleman from New York [Mr. KEOGH] 5 minutes.

Mr. KEOGH. Mr. Speaker, I want to try to remain as impersonal and objective about this discussion as I can. We have just heard a general colloquy as to who should open and who should close, which really is not pertinent.

I presented the motion that the House recede from its disagreement to the Senate amendment and to concur in that amendment and the effect of supporting that motion will be to enable the Committee on Revision of Laws to undertake, for the first time since 1911, a substantive revision of the titles of the United States Code dealing with the Criminal Code, the Judicial Code, and the judiciary.

Mention has been made to the prior action taken by the House. Permit me to call attention to the fact that in the Committee of the Whole, on the consideration of this legislative appropriation bill, my amendment, similar to the one now before the House, was adopted by a vote of 103 to 67. When the Committee went back into the House and a demand for a separate vote on the amendment was made, the amendment was agreed to by a standing vote of 92 to 72. It was only on a point of order of no quorum, and an automatic roll call following, that the amendment was rejected by a vote of 177 to 184.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. KEOGH. I yield.

Mr. HANCOCK. In other words, those who heard the discussion voted in favor of the gentleman's amendment?

Mr. KEOGH. I do not like to draw any conclusion with respect to that, because I am sure that everybody who voted on the roll call knew what he was doing. I think it is rather significant, however, to note the votes taken in the Committee of the Whole and in the House.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. KEOGH. Yes; I shall be delighted to.

Mr. TABER. It seems to me the House probably would be more interested in finding out what the gentleman proposes to do if the \$100,000 is given to him than in the votes.

Mr. KEOGH. I appreciate the gentleman's asking me that question since it affords me the opportunity to tell the House our purpose and plans. I have gone before the committees of the House and of the other body upon the unanimous request and with the unanimous approval of our committee. We know, dealing as we have for the past 5½ years with an attempt to make understandable to the public at large the laws that are enacted here, the problems that face the public when they attempt to determine what the state of any particular section of the law is.

The policy of drafting legislation in the form of statutes at large, to my mind,

is not befitting the greatest legislative body in the world and unless and until we erect a permanent framework within and around which all future new and amendatory legislation may be drafted, in code language, the country, the bench, the bar, and this House will not know the precise status of any law. The gentleman has asked me to tell you what we propose to do.

We propose to bring to this body for its final approval and enactment into positive law, a model judiciary code and criminal code, the kind of codes that this great body should present to the people of the greatest country, and we propose to do it with this appropriation, the smallest amount that has been asked for any work of a similar kind. This body authorized the appointment of committees by the Supreme Court for the promulgation of rules of civil procedure and criminal procedure. Those committees have expended upwards of \$200,000. We permitted them to do that. What your Committee on the Revision of the Laws wants to do is to act as it should; we want to do the legislating for the country. We do not want the continuance of the policy of delegation of authority to legislate. Sure, it is a dry, it is a monotonous job, but it is one that is badly needed. The country has cried for it.

The question has been asked: Who wants this work? The gentleman, I am afraid, indicates a complete lack of knowledge of the situation, although I mean not to be discourteous to him, when he inquires as to who wants this work done. The American Bar Association for years has been advocating it; every member of the Federal judiciary has been advocating it.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. O'NEAL. Mr. Speaker, I yield 5 additional minutes to the gentleman from New York.

Mr. KEOGH. We propose to take every statute at large that has been enacted since the Revised Statutes were enacted in 1874; we propose to integrate those existing laws into a unified, intelligent, coordinated, criminal and judicial code. We propose to consider the effect upon existing law of every decision of every court in this country and we propose to integrate and correlate these rules of civil procedure and of criminal procedure. We propose to do that and we propose then to come back to this House for its approval of our work and we expect in that work to repeal expressly all obsolete, all inferentially repealed, and all redundant laws that are still on our books.

The gentleman has asked how we propose to do that. The committee has considered that and has considered it very carefully. Your Committee on the Revision of the Laws will always retain active supervision and control. That is what we propose to do, and that is my reply to the gentleman from New York.

Mr. TABER. Mr. Speaker, may I ask the gentleman a further question?

Mr. KEOGH. Yes; I shall be delighted to have the gentleman do so.

Mr. TABER. In connection with this work is it proposed to take the mass of Executive orders that result from any of the language that is involved in sections of the code that are gone over so that we may have a complete picture of what the law is so the House may proceed upon that if legislation is brought in?

Mr. KEOGH. Quite naturally we shall consider the effect of outstanding Executive orders on existing law, but I call the gentleman's attention to the fact that the United States Code, by law, contains only those laws which are of a permanent nature, and generally Executive orders, as the gentleman well knows, are not permanent law; they have the effect of law only so long as they are in force.

Mr. TABER. But, if the gentleman will yield there, that depends upon the statute under which those Executive orders were issued and in a great many cases it is permanent law unless it is repealed or changed by subsequent action of the legislature or the Executive.

Mr. KEOGH. I will not go into that phase of it any further, but we propose—and finally—to bring before this body and in all probability it will be referred to the Committee on the Judiciary—a model code by which and from which we shall have a permanent framework of laws and thereby the country will know what the laws are.

Mr. GRAHAM. Mr. Speaker, will the gentleman yield?

Mr. KEOGH. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. I wonder if the gentleman is familiar with the fact that the sum expended for revising and consolidating the laws of Massachusetts was \$450,000, that there was appropriated for the State of Connecticut \$300,000, for the State of New Jersey \$600,000, and for the State of West Virginia \$300,000 for the same purpose?

Mr. KEOGH. My recollection is that the gentleman states the figures correctly.

May I close by saying that I am, of course, appreciative of all the fine things the gentleman from Indiana has said of me. I can return them to him in kind. I know very well he has given this matter careful consideration and I am sure the gentleman will not mind my saying that some of the points he has raised indicates that he has perhaps not given to this subject quite as much consideration as your standing Committee on the Revision of the Laws has. We have been charged by you to do this job; that is our responsibility and we are asking you to give us the means to discharge that responsibility. I hope the motion to recede and concur will be agreed to.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. O'NEAL. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, on April 8 last the House defeated on a roll call vote of 184 to 177 this amendment offered by the gentleman from New York [Mr. KEOGH].

Nothing has occurred since that time, Mr. Speaker, to change my opinion that

this item of \$100,000 should not be inserted into the Legislative and Judiciary appropriation bill.

I, personally, can well see Mr. KEOGH's desire for a substantive revision of titles 18 and 28 of the United States Code, which titles deal with the Criminal Code, and criminal procedure and the Judicial Code and the judiciary.

We all recognize that this is a very worthwhile and necessary work, but, Mr. Speaker, there is much worthwhile and necessary work today that we must subordinate to the one thing that at all times we must hold before us, and that is, the winning of this greatest of all wars, America today is engaged in.

Last April 8 I opposed this insertion of \$100,000 because it is nonessential expenditure at this time and it is not designed to aid in any way the war effort. We are not, in my opinion, Mr. Speaker, justified in utilizing manpower at this time in a measure of this sort, however desirable, when that manpower is needed as it has never been needed before in all lines of industry and when by so doing we will be breaking faith with the people of the United States of America.

This is one of the numerous worthwhile projects that we will need to give employment to people following the successful outcome of the war. It is not the sort of project, Members of the House, that must be done today. There has been no proof given here by the author of this amendment in any way that can be construed that this work will be much harmed by laying it upon the shelf for the duration of the war.

Our subcommittee worked long, tedious hours to cut this bill down \$3,000,000 below the last year's appropriation. Will you not aid us in preserving these savings and vote against the pending amendment which would add \$100,000 to the total of the bill?

Mr. Speaker, what are the facts in this case? On April 8 the gentleman from New York [Mr. KEOGH] offered an amendment which was defeated by the House on roll-call vote. This appropriation has to do mainly with a committee in the House of Representatives and I personally resent the fact, Mr. Speaker, that the other body has seen fit to do something that the House of Representatives never does, and that is to insert an amendment of this nature, already defeated by the House, and which should rightfully be considered as a portion of the section of the House bill dealing with appropriations for our own legislative department.

My good friend the gentleman from New York [Mr. KEOGH] possibly had every right to go over to the other body and persuade the gentlemen there on the corresponding subcommittees to insert this particular amendment after it had been here defeated. On the other hand, Mr. Speaker, I have every right to stand up here today to explain to the House why, in my opinion, this amendment already defeated by the majority of this House, should not be permitted to be inserted into this bill:

First. The manpower situation is too serious in this great Nation of ours to-

day, while we are fighting a war of survival, to allocate to any such proposal as this the services of possibly 40 or 50 able-bodied men, that the doing of this proposed work would in all probability entail.

Second. I believe the House should reserve onto itself the right to say, as it has previously declared in this case, whether or not certain provisions shall be inserted in the House section of the legislative and judiciary bill.

Third. We will need just such jobs as this to give employment immediately following the war.

Personally, I would be willing to vote twice the amount if necessary to do a good job at that time rather than to spend \$100,000 now at a time we cannot afford to waste manpower in what is definitely stated in the committee amendment here before us as for preliminary work only.

Fourth. Other gentlemen will bring out or have brought out here today the fact that numerous directives which have the force of law are being issued at this time so as to make practically impossible the proper recodification or revision of any titles of the Code.

Fifth. May I call your attention to the language on page 28. It states:

For preliminary work in connection with the preparation of a new addition to the United States Code, \$100,000.

Mr. Speaker, in my opinion, if it takes \$100,000 for the preliminary work in connection with this particular Code, how are we to know how much it is to cost for the actual publication and such?

With all due respect for the gentleman from New York for whom and his committee I have the utmost respect, I do not feel that this is the time, Mr. Speaker, to embark upon an expenditure for which we are asked to give \$100,000 simply for preliminary work.

At a time when we are faced with the prospect of not being able to produce enough food for this Nation of ours and for our soldiers abroad because of the shortage of manpower, I cannot agree to this particular amendment, small as it may appear to some, but representing to me as it does not so much the money involved but the manpower all along the line that it is going to take to do the job at this time. The one big thing today is to win the war. When that is accomplished I shall be glad to aid the gentleman from New York [Mr. KEOGH] in his worthy desire to recodify properly the laws of our country.

Mr. TABER. Will the gentleman yield?

Mr. H. CARL ANDRESEN. I yield to the gentleman from New York.

Mr. TABER. Frankly, I was a little bit disappointed in the answers that the gentleman from New York [Mr. KEOGH] made to me with reference to what they propose to do. He seemed to think that a question of that kind indicated ignorance. Of course, I realize the importance of a recodification of the laws, but I wanted to be sure that the gentleman from New York grasped the situation confronting him. When he finished an-

swering the question with reference to the effect of these Executive orders and that sort of thing upon the statutes and what the statutes were, I have grave doubt as to whether he grasped what the situation was that is confronting him. I came here with an open mind, but his answers to me greatly disturb me.

Mr. H. CARL ANDERSEN. I agree entirely with the gentleman from New York that we cannot recodify these laws at this time, when almost every day there comes out a directive or an order from the executive department that has in itself the force of law.

Mr. TABER. All of those must be codified along with the laws in order to arrive at what the laws are.

Mr. H. CARL ANDERSEN. The gentleman from New York is entirely correct.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. O'NEAL. Mr. Speaker, I yield the balance of the time to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Speaker, we have gotten into considerable confusion and misstatements of the facts, though it has been done inadvertently. In the matter of economy, we have been penny wise and pound foolish. More time is being taken up by 531 Members of Congress trying to find out what the law is and what it was they have passed; trying to find out where the law and the numerous amendments are and what they mean. One hundred times more time is wasted in looking up the law in the various volumes and books than ever will be taken by those who will codify the Judicial Code and the Criminal Code. This codification is not only for the protection of the Members of Congress, or for their convenience; it is for the protection and convenience of the American people. The American people have a right to know what the law is and where to find it.

The idea of always trying to hide behind, but not in the uniform, does not count here today, because, after all, the soldiers out there in the field, are as much entitled to know what the law is and they are just as much interested in having it codified. We keep on passing laws, but neither we nor anyone else knows where to find them. We pass law upon law amending and modifying existing laws without end and no one knows what the law is unless he devotes months and even years to clear up the amendments. Surely under these conditions no person on this floor should object to codification. It is said that there is a great deal of confusion about the edicts and Executive orders. The Executive orders are not a part of the law. The law gives the Executive the right to make orders, but the orders must be made under the law, and if the law is codified, then you know where the Executive order comes from, how it fits into the law, and until you know that, you do not know what the law is or whether the Executive order is in keeping with the law. You do not know whether the edict or the Executive order is legal unless you know the law that authorizes it.

Mr. GRAHAM. Mr. Speaker, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. GRAHAM. Just until I read an extract from a statement by Mr. Roy G. Fitzgerald, at one time chairman of the Committee on Revision of the Laws. It is to be found in the preface to the Code of Laws of the United States, under date of June 30, 1926, signed by Roy G. Fitzgerald, chairman, and reads as follows:

This Code is the official restatement in convenient form of the general and permanent laws of the United States in force December 7, 1925, now scattered in 25 volumes—i. e., the Revised Statutes of 1878 and volumes 20 to 43, inclusive, of the Statutes at Large. No new law is enacted and no law repealed. It is *prima facie* the law. It is presumed to be the law. The presumption is rebuttable by production of prior unrevoked acts of Congress at variance with the Code.

That is an effective answer to the matter of the Executive orders.

Mr. LEMKE. I thank the gentleman for his contribution. Here we have a situation where we have the responsibility of codifying the laws of the country, the laws that we have and are making, and if my memory serves me correctly, my friend from Minnesota [Mr. H. CARL ANDERSEN] says that we ought to be out there fighting the country's battles with our soldiers. I would like to know what the codification of the Judiciary and Criminal Codes has to do with our boys and how it can possibly interfere with the war efforts. If that were so, then let us all adjourn and go over there, and let someone else codify the laws that we have made so that when we and the boys return we will find the job done and the laws codified once and for all.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. AUGUST H. ANDRESEN. The gentleman from North Dakota is one of the distinguished jurists in the House and I ask him the question whether anybody inside or outside of Congress can say what the law is.

Mr. LEMKE. You cannot say what it is unless it is codified. It is the only way to know whether an Executive order or edict is in keeping with the fundamental law as passed, and that is what this committee is trying to do, not only for you today, but for tomorrow and for the years that are to follow. Unless you do this we are wasting our time, and yet you say the work of our committee shall not be recognized.

There is no other committee in this House that has asked for less money than the Committee on the Revision of the Laws, of which I happen to be a member, and of which the distinguished gentleman from New York [Mr. KEOGH] is the chairman, and I know of no other chairman who has worked so diligently and so hard to accomplish a real result.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. KUNKEL. The gentleman knows that the purpose under this is to com-

pletely codify two statutes, 18 and 28, and not to go into a general preliminary survey that would require a lot of money to get results from. In other words, when we get done we will have a complete unity as far as two branches of the law are concerned, and not just a lot of preliminary matters.

Mr. LEMKE. I am very glad that the gentleman called my attention to that. I assure the gentleman from Minnesota [Mr. H. CARL ANDERSEN] that he is mistaken. This is not a preliminary work, this is permanent, complete codification of two codes, the Judicial and the Criminal Codes, and when we get through with these two codes, we will come back here and ask for more money to go ahead and complete the codification of the entire laws of this Nation and get them codified and arranged so that you and I know what they are, and where they are, and that is the whole question here.

I say again, let us forget personal peevishness, let us forget that this appropriation was put in by the Senate after we had defeated it here in the House, first carrying it on a voice vote, then carrying it by a standing vote, and finally on a roll call where there were only 184 Members voted against it and 177 for it. It was never defeated by a majority vote of all the Members of this House.

The SPEAKER. The time of the gentleman from North Dakota has expired.

Mr. O'NEAL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. H. CARL ANDERSEN) there were—ayes 85, noes 43.

Mr. H. CARL ANDERSEN. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

The Doorkeeper will close the doors. The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 234, nays 122, answered "present" 1, not voting 74, as follows:

[Roll No. 108]

YEAS—234

Anderson, Calif. Church	Fellows
Anderson, N. Mex.	Fenton
Baldwin, Md.	Fernandez
Bell	Flannagan
Bennett, Mich.	Fogarty
Bennett, Mo.	Folger
Bishop	Forand
Blackney	Fulbright
Bland	Gale
Bloom	Gallagher
Bolton	Gavin
Boykin	Gearhart
Bradley, Pa.	Gibson
Brown, Ga.	Gillette
Bryson	Gordon
Buffett	Gorski
Bulwinkle	Gossett
Burchill, N. Y.	Graham
Burdick	Granger
Byrne	Gregory
Camp	Hale
Cannon, Mo.	Hall
Celler	Leonard W.
Chenoweth	Hancock
Chipherfield	Harless, Ariz.
	Harris, Ark.

Harris, Va.	Mahon	Sabath
Hart	Maloney	Sadowski
Hays	Manasco	Sasser
Heffernan	Mansfield,	Sauthoff
Heldinger	Mont.	Scanlon
Hendricks	Mansfield, Tex.	Schiffler
Hess	Marcantonio	Schuetz
Hinshaw	Mason	Scott
Hobbs	May	Shafer
Hoch	Merritt	Sheppard
Hollifield	Michener	Sikes
Horan	Miller, Conn.	Slaughter
Howell	Miller, Mo.	Smith, Maine
Hull	Miller, Pa.	Smith, Va.
Izac	Mills	Smith, W. Va.
Jackson	Monkiewicz	Smith, Wis.
Jeffrey	Morrison, La.	Snyder
Jenkins	Mott	Somers, N. Y.
Jensen	Murdock	Sparkman
Johnson,	Murphy	Spence
Luther A.	Murray, Tenn.	Stanley
Johnson,	Myers	Stevenson
Lyndon B.	Norton	Stewart
Judd	O'Brien, Ill.	Sullivan
Kee	O'Brien, Mich.	Summers, Tex.
Keefe	O'Connor	Talbot
Kefauver	O'Konski	Talle
Kelley	O'Toole	Thomas, Tex.
Kennedy	Outland	Thomason
Keogh	Patman	Tibbott
Kerr	Patton	Towe
Kilday	Peterson, Fla.	Troutman
Kirwan	Peterson, Ga.	Vincent, Ky.
Kleberg	Pfeifer	Voorhis, Calif.
Klein	Pittenger	Vursell
Kunkel	Plumley	Wadsworth
LaFollette	Poage	Walter
Lane	Pracht	Ward
Lanham	Price	Wasielewski
Larcade	Priest	Weaver
Lea	Rabaut	Weiss
Lenke	Rankin	Welch
Lesinski	Reed, Ill.	Wene
Lewis, Ohio	Reed, N. Y.	West
Luce	Richards	Whelchel, Ga.
Ludlow	Robertson	White
McCord	Robinson, Utah	Whitten
McCormack	Robison, Ky.	Wickersham
McGehee	Rodgers, Pa.	Winter
McGranery	Rogers, Calif.	Wolfenden, Pa.
McKenzie	Rogers, Mass.	Woodrum, Va.
McMurray	Rohrbough	Wright
McWilliams	Rolph	Zimmerman
Madden	Rowan	

NAYS—122

Abernethy	Fulmer	Maas
Allen, La.	Gathings	Martin, Mass.
Andersen,	Gerlach	Merrill
H. Carl	Gifford	Miller, Nebr.
Andersen,	Gilchrist	Mruk
August H.	Goodwin	Murray, Wis.
Angell	Gore	Norman
Arends	Grant, Ala.	Norrell
Arnold	Grant, Ind.	Pace
Auchincloss	Griffiths	Phillips
Barrett	Gwynne	Ploeser
Bates, Ky.	Hagen	Poulson
Beckworth	Hall	Ramspeck
Bender	Edwin Arthur	Reece, Tenn.
Bonner	Harness, Ind.	Rees, Kans.
Brooks	Herter	Rizley
Brown, Ohio	Hill	Rockwell
Burch, Va.	Hoeven	Rowe
Burgin	Hoffman	Russell
Busbey	Holmes, Mass.	Schwabe
Butler	Holmes, Wash.	Short
Canfield	Hope	Simpson, Ill.
Carson, Ohio	Jennings	Smith, Ohio
Carter	Johnson,	Springer
Case	Anton J.	Stearns, N. H.
Chapman	Johnson,	Stefan
Clark	Calvin D.	Stockman
Clason	Johnson, Ind.	Sumner, Ill.
Clevenger	Johnson,	Sundstrom
Colmer	J. Leroy	Taber
Compton	Johnson, Ward	Tarver
Crawford	Jones	Taylor
Creal	Jonkman	Thomas, N. J.
Cunningham	Kean	Vorys, Ohio
Dirksen	Kinzer	Welch, Ohio
Domengeaux	Knutson	Whittington
Durham	Lambertson	Wigglesworth
Dworshak	Landis	Willey
Ellis	LeCompte	Wilson
Elmer	McCowan	Winstead
Elston, Ohio	McGregor	Woodruff, Mich.
Engel	McLean	Worley
Fisher	McMillan	

ANSWERED "PRESENT"—1

O'Neal

NOT VOTING—74

Allen, Ill.	Baldwin, N. Y.	Barry
Andrews	Barden	Bates, Mass.

Beall	Ford	Newsome
Boren	Furlong	Nichols
Bradley, Mich.	Gamble	O'Brien, N. Y.
Brehm	Gavagan	O'Hara
Buckley	Gillie	O'Leary
Cannon, Fla.	Green	Philbin
Capozzoli	Gross	Powers
Carlson, Kans.	Halleck	Ramey
Cochran	Hare	Randolph
Costello	Hartley	Rivers
Courtney	Hébert	Satterfield
Culkin	Jarman	Sheridan
Curley	Johnson, Okla.	Simpson, Pa.
Delaney	Kearney	Starnes, Ala.
Dickstein	Kilburn	Steagall
Dies	King	Toian
Ditter	LeFevre	Treadway
Douglas	Lynch	Van Zandt
Eberhart	Magnuson	Vinson, Ga.
Ellsworth	Martin, Iowa	Wheat
Fay	Monroney	Wolcott
Fish	Morrison, N. C.	Wolverton, N. J.
Fitzpatrick	Mundt	

So the motion was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Eberhart with Mr. Mundt.
Mr. Rivers with Mr. Wheat.
Mr. Hébert with Mr. Bates of Massachusetts.
Mr. Boren with Mr. Halleck.
Mr. Vinson of Georgia with Mr. Treadway.
Mr. Starnes of Alabama with Mr. Powers.
Mr. King with Mr. Ditter.
Mr. Barry with Mr. Beall.
Mr. Hare with Mr. Carlson of Kansas.
Mr. Philbin with Mr. Kilburn.
Mr. Buckley with Mr. Wolverton of New Jersey.

Mr. Tolan with Mr. Hartley.
Mr. Courtney with Mr. O'Brien of New York.
Mr. Capozzoli with Mr. Gillie.
Mr. Satterfield with Mr. Douglas.
Mr. Curley with Mr. Ellsworth.
Mr. Delaney with Mr. Gamble.
Mr. Cochran with Mr. Simpson of Pennsylvania.

Mr. Gavagan with Mr. Allen of Illinois.
Mr. Randolph with Mr. Fish.
Mr. Fay with Mr. Wolcott.
Mr. Ford with Mr. Ramey.
Mr. Fitzpatrick with Mr. Andrews.
Mr. Costello with Mr. Culkin.
Mr. Dickstein with Mr. LeFevre.
Mr. Lynch with Mr. Van Zandt.
Mr. Steagall with Mr. Bradley of Michigan.
Mr. Jarman with Mr. Martin of Iowa.
Mr. Sheridan with Mr. Kearney.
Mr. Morrison of North Carolina with Mr. Baldwin of New York.
Mr. Johnson of Oklahoma with Mr. Gross.
Mr. Furlong with Mr. Brehm.

Mr. BROOKS changed his vote from "aye" to "no."

Mr. JONES changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 27: Page 65, line 1, insert: "Sec. 204. Terms of court at Greenwood, S. C.: Section 105 of the Judicial Code, as amended, is amended by striking out the words 'at Greenwood the first Mondays in February and November' in the third paragraph thereof, and inserting in lieu thereof the words 'at Greenwood the second Mondays in May and December.'"

Mr. O'NEAL. Mr. Speaker, on this amendment, it is purely a matter of local interest to the people of South Carolina and that part of South Carolina, and I believe it does not merit very much discussion. Therefore I move that the House recede from its disagreement to

the amendment of the Senate and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 28: Page 65, line 7, strike out "204" and insert "205."

Mr. O'NEAL. Mr. Speaker, this is merely a correction. I move that the House recede from its disagreement to the amendment of the Senate and concur therein.

The motion was agreed to.

The SPEAKER. Without objection, a motion to reconsider the various votes on the conference report will be laid on the table.

There was no objection.

URGENT DEFICIENCY APPROPRIATION BILL

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2714), making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1943, and for prior fiscal years, and for other purposes, disagree to the Senate amendment to the House amendment to Senate amendment No. 5; insist on its disagreement to Senate amendments Nos. 60 and 61, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. MARTIN of Massachusetts. Reserving the right to object, has the gentleman discussed this with the ranking minority member?

Mr. TABER. I shall not object at this time to the bill going to conference.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, which one of these is the Rural Electrification matter?

Mr. CANNON of Missouri. That does not come in this bill. This is the urgent deficiency bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none and appoints the following conferees: Mr. CANNON of Missouri, Mr. WOODRUM of Virginia, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. RABAUT, Mr. JOHNSON of Oklahoma, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. DITTER.

QUESTIONS AND ANSWERS TO THE CURRENT TAX PAYMENT ACT OF 1943

Mr. BULWINKLE. Mr. Speaker, from the Committee on Printing, I report an original privileged resolution (H. Con. Res. 30) authorizing the printing of additional copies of Senate Document No. 237, Questions and Answers Containing an Analysis Relative to the Current Tax Payment Act of 1943, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 53,000 additional copies of House Document No. 237, Questions and Answers

Containing an Analysis Relative to Public Law No. 68, "An act to provide for the current payment of the individual income tax, and for other purposes," approved June 9, 1943, of which 45,000 shall be for the use of the House Document Room, 5,000 copies for the use of the Senate Document Room, 2,000 copies for the Committee on Ways and Means of the House, and 1,000 copies for the use of the Committee on Finance of the Senate.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CANADA, EMPIRE PARLIAMENTARY ASSOCIATION

The SPEAKER. Pursuant to Senate Concurrent Resolution No. 14, the Chair appoints the gentleman from New York [Mr. BLOOM] chairman, the gentleman from Texas [Mr. LUTHER A. JOHNSON], the gentleman from New Jersey [Mr. EATON], and the gentleman from Ohio [Mr. VORYS].

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1944—CONFERENCE REPORT

Mr. TARVER. Mr. Speaker, I call up the conference report on the bill (H. R. 2481), making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1944, and for other purposes, and I ask unanimous consent that the statement on the part of the managers may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 21, 1943.)

Mr. TARVER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the Senate adopted 134 amendments to the Department of Agriculture appropriation bill as it passed the House. As you will observe from the conference report, the Senate has receded on 33 of those amendments. The House has receded on 18, and in connection with a large number of other amendments where the House, if it adopts the report of the conferees, will recede with amendments, the Senate has made substantial concessions to the viewpoint of the House.

There are a number of very important amendments that are still in disagreement. However, not so considerable a number as we at one time anticipated might be true. They aggregate some four or five or possibly six amendments. I do not intend to discuss all of the items included in the conference report, but I do wish to make particular reference to some three or four of the outstanding matters in which I conceive the House is especially interested, and I shall then undertake to answer as best I can any questions that Members may desire to address to me.

With regard to the appropriations provided by the Senate version of the bill for forest-fire protection, both on national forest domains and in the cooper-

ative fire-protection work and on critical areas where the emergent need for such protection may develop, the House conferees have agreed to the Senate position insofar as we could. What I mean by that is, insofar as the appropriations for forest protection and management is concerned, where the amount provided by the Senate was authorized by law, we have included the amount requested by the Senate.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. TARVER. In just a moment I will yield to the gentleman from South Dakota.

In connection with forest fire cooperative work, where the limitation of the authorization is \$2,500,000, and where the proposed Senate amendment of \$2,300,000 for use in critical areas is not authorized by law and where the Senate has exceeded for the cooperative fire protective work the amount of the authorization by \$1,500,000, the subject matter could not be included in the conference report, but the House conferees will move to recede and concur in the Senate amendments.

I now yield to the gentleman from South Dakota.

Mr. CASE. During the consideration of the appropriation bill for the War Department Saturday afternoon we were assured that the conferees were agreeing to place in the agricultural bill the same amounts, as I understand it, that we were asked to deduct from the War Department appropriation bill at that time.

Mr. TARVER. Yes. The gentleman from Missouri [Mr. CANNON], the Chairman of the full Committee, and myself gave that assurance to the gentleman from Pennsylvania [Mr. SNYDER], chairman of the subcommittee, and the \$2,760,000 carried in the War Department bill would have been duplicated in this bill unless what was in the War Department bill might have been removed therefrom by an amendment, and that, as I understand it, was satisfactory to the gentleman from Pennsylvania [Mr. SNYDER].

Mr. CASE. That was done. The purpose of my inquiry was to determine whether the same amount was included in this bill.

Mr. TARVER. That is the information we had. The clerk of the full committee made an investigation of the subject matter and gave us that information. Of course, it is not the desire of the Congress to make the same appropriation twice, once in the agricultural bill and once in the other bill.

Mr. CASE. The reason I ask the question is that on page 12 of the conference report, as I read the first amendment, No. 67, under "Forest Service," it states:

This provides an increase of \$2,151,711 for emergency forest fire control.

As I recall the amount the reduction determined upon was about that sum.

Mr. TARVER. \$2,760,000, but the gentleman will recall that \$2,300,000 is included in a later portion of the bill for use in critical areas.

Mr. CASE. That is all right; I wanted to have a record of it.

Mr. TARVER. I shall direct particular attention to the action taken by the conferees in connection with amendment No. 85, relating to the use of administrative funds of the Commodity Credit Corporation for the disposition of Government-owned, or Government-controlled agricultural products at less than parity prices. That is a subject matter upon which we have considerable debate and disagreement with the Senate in prior years. We have agreed with the Senate conferees, subject, of course, to the approval of the House, upon the modifying language which you will find set out in the report of the managers on the part of the House. That language is more restricted in the exceptions to the general rule than was the language carried in the agricultural appropriation bill for the present fiscal year. This language will permit exceptions in cases of five different types:

First, agricultural commodities which have deteriorated; second, grains sold for the purpose of feed; third, grain sold to the farmers for seeding purposes; fourth, any agricultural commodities which are used for experimental purposes in new or byproduct uses; and fifth, the sales which are permitted of peanuts at less than the peanut parity price for use in the manufacture of oil.

The language of the Senate defining the initial inhibitions against the use of Commodity Credit Corporation administrative funds for the purpose of sales of agricultural commodities at less than parity, before exceptions were stated, has been agreed to rather than the language carried in the House bill, but that portion of the Senate amendment, in the judgment of the House conferees, does not differ materially from the language the House provided.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Kansas.

Mr. HOPE. As I read this language it would appear that there is nothing in this that in any way conflicts with the present legislation governing the sale of wheat for feed. Am I correct in that?

Mr. TARVER. That, I think, is correct. However, I call the gentleman's attention to the concluding language of the provision, which reads:

Provided further, That no wheat or corn shall be sold for feed at a price less than the parity price of corn at the time such sale is made: *Provided further*, That in making regional adjustments in the sale price of corn or wheat, the minimum price need not be higher in any area than the United States average parity price of corn.

Mr. HOPE. That language is substantially the same language.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. TARVER. Mr. Speaker, I yield myself 5 additional minutes.

Mr. HOPE. That language is substantially the same language which is included in the last two pieces of legislation providing for the sale of wheat?

Mr. TARVER. Yes; I think that is true.

As I said awhile ago, I think with the exceptions provided in the amendment

as reported in the conference report, the language will be more restricted from the standpoint of the sale of agricultural commodities by the C. C. C. than was the language included in the bill for the present fiscal year.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield.

Mr. PACE. This would be true, however, that this places no limitation on the amount that might be sold for feed and it would not be necessary hereafter for the Commodity Credit Corporation to secure any additional legislation.

Mr. TARVER. Provided the amount sold for feed complies with the restriction with reference to the price at which it should be sold: Wheat at not less than corn parity and corn, of course, at not less than corn parity.

Mr. PACE. But with no limitation on the amount itself.

Mr. TARVER. Exactly. There are a great many items in the report to which it is probably unnecessary to refer, but there are three errata in the statement of the managers on the part of the House that I think it desirable to call attention to for the purpose of having the record speak the truth.

Amendment No. 23: Insular experiment stations. The statement is made in the statement of the managers on the part of the House that it appropriates \$83,292 as proposed by the House instead of \$100,000 as proposed by the Senate. It will be observed that in the conference report it is stated that the House receded from its disagreement to Senate amendment No. 23 and, of course, the report controls. The statement in the statement of the managers to the effect that the Senate receded is an incorrect statement and the total amount appropriated, if the conference report is agreed to, will be \$100,000 as proposed by the Senate.

In connection with amendment No. 70, range investigations, I quote the language from the report of the managers which is also in one particular incorrect—

Appropriates \$250,000 instead of \$150,000 as proposed by the House and \$267,200 as proposed by the Senate. The increase of \$100,000 over the House figure is for the additional work in Louisiana and the continuation of work in the Southeast proposed under the Senate amendment.

The statement is incorrect in that it states that the entire increase of \$100,000 is for the two purposes named. As a matter of fact, \$12,500 is for the work in Louisiana, and \$20,450 is for the work in the Southeast; and not all of the \$100,000 was intended for those two activities. I wish to make one other correction in the report of the managers.

I call your attention to amendment No. 128 relative to a limitation applicable to the Regional Agricultural Credit Corporation. It is stated that the House managers will move to recede and concur. The House managers will move to recede and concur with an amendment and will not submit the motion which it is stated in the report of the managers as published in the CONGRESSIONAL RECORD will be submitted.

Mr. Speaker, that is all I care to say unless Members desire to ask questions.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Mississippi.

Mr. RANKIN. This question of funds for rural electrification will come up in a separate amendment, will it?

Mr. TARVER. That amendment is in disagreement and it is not included in the conference report.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield.

Mr. HAYS. I did not understand the statement with reference to the Regional Agricultural Credit Corporation.

Mr. TARVER. I stated that the statement in the statement of the managers as published in the CONGRESSIONAL RECORD to the effect that the managers would move to recede and concur in the Senate amendment is incorrect. The managers will move to recede and concur in the Senate amendment with an amendment which will be discussed at a later time.

The SPEAKER. The gentleman has consumed 5 additional minutes.

Mr. TARVER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I am happy that we have made as much progress in so short a space of time as we have, comparable to the difficulties we had with this bill last year. Members may recall that it was 9 days after the end of the fiscal year before we finally completed action on the agricultural appropriation bill.

We have had three sessions with the Senate. They have been in a reasonably agreeable mood, and the House went there also in the same kind of felicitous frame of mind; so we have made considerable progress in discussing most of the 134 amendments.

I may say with relation to farm security, about which there has been considerable question, that at a proper place in the proceedings the chairman of the subcommittee will offer an amendment dealing with farm security and farm tenancy which represents a compromise which I think will be agreeable to the House and which I believe will finally find acceptance with the Senate.

I wish to take just a moment to pay tribute to the clerk of this subcommittee, Arthur Orr. When we finished our conference yesterday afternoon at 4:15, it then became his responsibility to get busy and prepare this conference report and the statement of the managers. He labored incessantly, and I think he left this Capitol this morning at 2:30. It is a tremendous strain upon the clerks of the Appropriations Committee as we come into these final days of the fiscal year, and so here and now I want to pay testimony to the diligence, to the fealty, and to the faithfulness of the clerk of this committee and the clerk of the other committees. I ask you all to join with me in giving Arthur Orr a great big resounding hand of applause.

Mr. LAMBERTSON. Mr. Speaker, will the gentleman from Illinois yield

For this additional allowance, of course, I shall be very glad to accept the suggestion. The need is great. There is no material of which the country is in greater need at this moment than petroleum. So I accept the change, and modify the amendment to provide for an increase to \$35,000,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming, as modified, which will be stated.

The CHIEF CLERK. On page 3, line 14, it is proposed to strike out "\$25,000,000", and insert "\$35,000,000", and by inserting after the words "raw materials", where they occur the second time in said section 6, as amended, a comma and the words "including petroleum."

The amendment, as modified, was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill H. R. 2796 was read the third time and passed.

Mr. SCRUGHAM. I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKellar, Mr. Hayden, Mr. Chavez, Mr. Scrugham, Mr. Reed, Mr. Langer, and Mr. Buck conferees on the part of the Senate.

APPROPRIATIONS FOR LEGISLATIVE BRANCH AND THE JUDICIARY—CONFERENCE REPORT

Mr. TYDINGS. I submit the conference report on the legislative appropriation bill. The House has agreed to the Senate amendments, and, therefore, there cannot be any controversy. I should like to get the bill behind us, as many other appropriation bills are pending. I send the report to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The report will be read.

The legislative clerk read the report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2409) "making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1944, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 24.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 26; and agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "\$1,087,800; *Provided*, That the compensation of secretaries and law clerks to circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of

1923, as amended, except that the salaries of the secretaries, exclusive of temporary additional compensation, and exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall correspond with those of the assistant administrative grade (grade 7 of clerical, administrative and fiscal service): *Provided further*, That the annual basic compensation of the secretary to a circuit or district judge shall not (exclusive of temporary additional compensation) exceed \$3,200: *And provided further*, That the salaries of law clerks shall correspond with those of the assistant professional grade"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 20, 27, and 28.

MILLARD TYDINGS,
JOHN H. OVERTON,
THEODORE FRANCIS GREEN,
FRANCIS MALONEY,
WALLACE H. WHITE, Jr.,

Managers on the part of the Senate.

EMMET O'NEAL,
MICHAEL KIRWAN,
JOE HENDRICKS,
NOBLE J. JOHNSON,
H. CARL ANDERSEN,
WALTER C. FLOESER,

Managers on the part of the House.

Mr. TYDINGS. Mr. President, as I have announced, the House having agreed to the Senate amendments, there is no further action that the Senate need take.

The VICE PRESIDENT. The question is on agreeing to the conference report. The report was agreed to.

SAVE THE FOOD OF AMERICA FIRST

Mr. WILEY. Mr. President, we have just heard it stated on the floor of the Senate that there is a great need for money to be made available for the transportation of oil. I say the greatest need in America today, and the necessity which should be attended to first, is the need of saving the food of America.

As we scan the headlines and read the magazines, yes, even as we listen to what is said on the floor of the Senate and of the House of Representatives, we realize that friction is constantly arising and interfering with the constructive operation of our minds. In other words, we let friction between various classes and various groups and even governmental agencies interpose to prevent the constructive action which is required.

There is another thing almost as bad as the continual friction. For instance, a few days ago in the United States Senate the junior Senator from Pennsylvania [Mr. GUFFEY] rose and made some loose statement in relation to a \$10,000,000 banquet. I do not think that is an appropriate subject to discuss on the floor of the Senate, especially when in the Middle West food is spoiling.

Mr. President, I am not very often in the position of desiring to scourge anyone out of the temple, but I feel righteous indignation every now and then as I look about and see how we miss the mark indulging in the little things when really big things are ours to do.

I have referred to friction. We must get rid of it. The Nation is at war; its safety is at stake; and we cannot let petty minds and petty things interfere with our consideration and proper disposition of the larger problems.

The other matter besides friction to which I wish to refer is the lack of cooperation, and I desire particularly to dwell upon that today in the few minutes I shall occupy because lack of cooperation on the home front, as manifested by the recent strike in Pennsylvania, by the riots in Detroit, and by inept statements on the floor of the Senate, is a very serious condition which may be likened to a cancerous growth. Cooperation is imperatively necessary now, and that thought brings me to the point I wish to stress.

Mr. President, when our boys in Tunisia were advancing there were also in that country from our Department of Agriculture men with brains. They saw the waving fields of grain, yet war was on. What happened? I shall now mention the name of a man whom I should like to see brought back and utilized on the home front. The name of the keen American to whom I refer is Parisius. I do not know him. But the minute the Axis was defeated and thrown out of north Africa the thought came to him, "I have to save the food I see about us here. I have to save it, first, because the Tunisians have to eat, and if I save it for them my country will not have to transport food for them. I have to save it so that the ships which would otherwise be carrying food to the soldiers on the battle fronts can be utilized for carrying munitions and transporting reinforcements."

Mr. President, this is the point. Think of it. This man had the foresight and the intestinal fortitude to go to the Army and order gasoline and oil diverted from American supplies for utilization on the agricultural front in Tunisia. How many men he used I do not know, but he obtained results. He had military loading equipment diverted to farm work. He obtained sacks and twine to provide—for what? For harvesting the grain crop in Tunisia. He was an American who knew how to do things, and, having the knowledge, he acted.

Mr. President, I wish to bring to the notice of the country a contrast. For months on this floor I and other Senators have called to the attention of those in Government the serious threatened danger to our food supply. Two weeks ago I spoke on the floor of the Senate and called attention to the fact that we must have additional labor in Wisconsin; that Wisconsin would probably produce from 40 to 45 percent of the pea crop of the country this year; that the men who ordinarily worked in harvesting that crop had been drained into the war plants and into the Army, and that the peas would rot in the fields unless we obtained quick action. We thought we could get action.

I took the matter up with the Department of Agriculture. I also talked with officers of the War Department and with officials of the Manpower Commission. I wrote a letter to Mr. McNutt, but received no reply. Finally, I was told that a representative would be in the field in Wisconsin last Monday. This was the result after 2 weeks of effort. Today I received a telegram from N. P. Verhulst of the Wisconsin Cannery Association, in which he says that the number of addi-

tional workers needed in the State of Wisconsin to help harvest the pea crop is at least 1,500. Seven hundred and twenty men are needed for Dodge and neighboring counties alone. He says:

We are advised today no Jamaicans are available for Michigan, but possibly 200 will be assigned from New Orleans. Not more than 250 soldiers can be made available from Camp McCoy. They will be given 3-day passes, which may be renewed. Apparently no chance of getting troops as such. Erb still here and he is hopeful balance of men needed can be obtained from civilians.

Mr. President, I have spoken repeatedly on the subject of the civilian's responsibility, and I wish to devote a few moments to that subject. I wish to say parenthetically that the Government has failed to make plain to the people in the local communities the seriousness of the situation. I believe that if the Federal Government does not furnish the needed help from the camps, from among prisoners, civilians in the towns and cities must close up their shops in order to harvest the crops and enable this food to be canned.

Former President Hoover and others have spoken of the serious situation with respect to food. In Tunisia Germans and Italians surrendered and came into our camps and were fed of our food which was cooked. It was definitely ascertained that the cooked food in cans was a great factor in determining the victory of the Americans and the British and the Free French in Tunisia.

Mr. President, a pea crop is coming on; a corn crop is coming on; there are crops of other vegetables, tomatoes, spinach, and others, coming on. If we cannot obtain the necessary help to take care of these crops in a State such as Wisconsin, what are we to do in relation to the wheat crop when it comes on?

Mr. President, I suggested to Army officials 2 weeks ago that troops in camps, such as Camp McCoy, be used to harvest these crops. I said to an official this morning, "Why have you not put those men out into the fields?" "We are going to place a few of them there," he said, "but you know that Army red tape requires that they not stay out over 3 days." So the Army can send a group, and then in 3 days' time send another group, and then another group. If we are to persist in that court, if gold-braid artists are to keep on running the show in that way, there is bound to be trouble ahead.

"Save the food first," should be the cry. Our boys in the camps will not have the food they require, the civilians in this country will not have the food we require, all because of a lack of what I call cooperation or collaboration. All the world today, especially some of our great New Deal friends, is talking about collaboration on the foreign front with foreign nations. Yet we have not learned the simple ABC's of collaboration on the home front to save food for our own stomachs, to save food for our own boys who will need it.

After we had pushed the Axis out of north Africa we saved the crop there by utilizing the military. Not only did we utilize their gasoline and their ma-

chinery, but undoubtedly the soldiers themselves were used. We ought to be able to utilize our boys who are in the camps at home, many of whom learned, as I did, at a youthful age to work in the canning factories for 15 cents an hour and to perform that hard labor which now must be done. When crops such as peas come on workers must be on hand immediately. A matter of 20 hours delay may spoil a large portion of the crop. Yet when we try to obtain assistance we are pushed around from Dan to Beersheba, from department to department, and we may hear as an official said a couple of weeks ago, "If the Department of Agriculture should certify that help is needed, then the War Manpower Commission could certify as to the emergency, and then the Army would be in the position to act."

Mr. President, if the military forces on the foreign fronts had acted as we are acting on the home front there would not have been any successful action at Midway; there would not have been any success in Tunisia; Attu would not have been taken; there would simply be failures.

I desire to say parenthetically that when Mr. Justice Byrnes was appointed to his position as Assistant President I hoped we would be presented with the over-all picture of someone reaching forth and making a determination which would result in action. But it does not look as if the mechanism is operating in that way. It is simply another department, and simply another bureau head.

Mr. President, we have heard about slow-downs in war production due to strikes, and we know there is a tendency on the part of some to forget that we have a war on our hands. Our boys on all the fronts in the world are not lying down. A failure of our military supply may cost the lives of thousands of American boys. So I repeat, I want to save food. In spite of all handicaps the farmers of this country have done a magnificent job. I believe even in my own State the people in the villages and the cities do not realize the magnificent job the farmers have done. The old farmers, many of whom had thought they were through with farming, are back on the farms, with their wives and their grandchildren, working the clock around, 70 hours a week, with the handicaps of lack of machinery and lack of labor. They have gotten the seed into the ground. Now the question is whether the crops can be harvested. I have received letters from those farmers saying that they cannot do the heavy work; they are too old, the children are too small. I repeat, Mr. President, that I wish we had on the home front, among the so-called planners, some of the efficiency which was manifested in Tunisia by Mr. Parisius. I hope we can do what was done in Africa when the harvest was on, when the firing was just over, when our wounded boys were returning, and the dead were being buried. They had time to save the harvest in Tunisia. If we only have the brains and if we get rid of the friction, and begin to collaborate, we have time now to save the food on the home front.

Mr. President, I hold in my hand a release dated May 20, 1943, issued by the Bureau of Public Relations of the War Department. In the release the employment of prisoners of war on the basis of the Geneva convention is mentioned. I ask that at this point in the RECORD the release may be printed as a part of my remarks.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

EMPLOYMENT OF PRISONERS OF WAR TO BE BASED ON GENEVA CONVENTION

Plans for the disposition of prisoners of war are under study, and their availability for farm work, as well as for other types of permissible labor, is being considered, the War Department announced today.

With any specific project for the employment of prisoners, a basic consideration must be whether it conflicts in any way with the terms of the Geneva Convention. These rules will be scrupulously observed. It is hoped that the humane and considerate treatment that War Department policy will accord to America's prisoners of war will be reflected in similar treatment of American soldiers who are prisoners of war of the Axis Powers.

Under the Geneva Convention, prisoners must be afforded protection against violence, abuse, public curiosity, and exploitation of any kind. Subject to these reservations, all prisoners of war, except officers, may be required to work at any project not directly connected with military operations.

Prisoners employed by the Federal Government will be paid at the rate of 80 cents a day. When working for a State or private contractor, their pay will be at a rate decided upon in advance between the employer and the prison camp commander concerned. The rate, however, may not be less than that of 80 cents a day paid by the Federal Government.

Officer prisoners may not be compelled to work. Nevertheless, the Geneva Convention provides that they must be paid, in accordance with their grade and in line with specific arrangements between the enemy powers. The allowance for German and Italian officer prisoners will be the equivalent of \$20 per month for warrant officers and first and second lieutenants; \$30 for captains; and \$40 for those in the grade of major and above.

Enlisted men among the prisoners who are not provided employment will be given a monthly allowance of \$3. Noncommissioned officers will be assigned to supervisory work only, unless work of this nature is not available and they specifically request a remunerative occupation.

Prisoners may not be made to work longer hours than the civilian population engaged in similar work in the locality, which, except in emergency, will not exceed 10 hours daily, counting the time consumed in going to and from work. In all respects, prisoners will be treated with the respect due honorable soldiers. The free mail privileges accorded United States military personnel will be granted prisoners.

Rations for prisoners will be the same as those provided United States troops. To the extent practicable, these rations may be altered to suit the preference of the various national groups. Officers, however, may use their allowances to supplement the fare.

Pursuant to the Geneva Convention, orderlies must be provided officer prisoners from among the enlisted prisoners. These will receive pay at the rate of 80 cents a day.

Prisoners will be required to wear the clothing they had at the time of their capture unless it is unfit for use. Reclaimed clothing, if available, will be furnished when prisoners' clothing is unfit for wear. If re-

[PUBLIC LAW 96—78TH CONGRESS]

[CHAPTER 173—1ST SESSION]

[H. R. 2409]

AN ACT

Making appropriations for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch and for the Judiciary for the fiscal year ending June 30, 1944, namely:

TITLE I—LEGISLATIVE BRANCH

SENATE

SALARIES AND MILEAGE OF SENATORS

For compensation of Senators, \$960,000.

For mileage of the President of the Senate and of Senators, \$51,000.

For compensation of officers, clerks, messengers, and others:

OFFICE OF THE VICE PRESIDENT

Salaries: For clerical assistance to the Vice President, at rates of compensation to be fixed by him, \$11,460.

CHAPLAIN

Chaplain of the Senate, \$1,680.

OFFICE OF THE SECRETARY

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, \$8,000; Chief Clerk, who shall perform the duties of reading clerk, \$5,500 and \$1,500 additional so long as the position is held by the present incumbent; financial clerk, \$5,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant financial clerk, \$4,500; Parliamentarian, \$5,000 and \$1,500 additional so long as the position is held by the present incumbent; Journal Clerk, \$4,000 and \$500 additional so long as the position is held by the present incumbent; principal clerk \$4,000; legislative clerk, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; enrolling clerk, \$4,000; printing clerk, \$3,540 and \$460

additional so long as the position is held by the present incumbent; chief bookkeeper, \$3,600; librarian, \$3,600; executive clerk, \$3,180 and \$420 additional so long as the position is held by the present incumbent; first assistant librarian, \$3,120; keeper of stationery, \$3,320; clerks—one at \$3,600, one at \$3,360, one at \$3,180, three at \$2,880 each, one at \$2,640 and \$660 additional so long as the position is held by the present incumbent, two at \$2,640 each, clerk in Disbursing Office, \$2,400, six at \$2,400 each, three at \$1,860 each, three at \$1,740 each; assistant in library, \$1,440 and \$420 additional so long as the position is held by the present incumbent; special officer, \$2,460; assistants at the press door—one at \$2,200, one at \$1,900; messenger, \$1,260; laborers—one at \$1,800, one at \$1,620, four at \$1,440 each, one at \$1,380, one in Secretary's office, \$1,680, one \$1,560, one \$1,260; in all, \$150,440.

DOCUMENT ROOM

Salaries: Superintendent, \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; first assistant, \$2,640; second assistant, \$2,040; four assistants, at \$2,040 each; skilled laborer, \$1,380; in all, \$19,220.

COMMITTEE EMPLOYEES

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$4,800; assistant clerk, \$3,900; three assistant clerks at \$3,000 each; two assistant clerks at \$2,220 each; messenger, \$1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Banking and Currency—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Claims—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Conference Majority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Conference Minority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. District of Columbia—clerk, \$3,900; two assistant clerks at \$2,880 each; assistant clerk, \$2,220; two additional clerks at \$1,800 each; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$6,000. Education and Labor—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Enrolled Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk,

\$1,800; additional clerk, \$1,800. Expenditures in the Executive Departments—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Finance—clerk, \$4,200 and \$500 additional so long as the position is held by the present incumbent; special assistant to the committee, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,700; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; two experts (one for the majority and one for the minority) at \$3,600 each; messenger, \$1,800. Foreign Relations—clerk, \$3,900; assistant clerk, \$3,000, in lieu of assistant clerk provided by Senate Resolution Numbered 321 (Seventy-seventh Congress), agreed to December 15, 1912; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immigration—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Indian Affairs—clerk, \$3,900; assistant clerk, \$3,600 and \$1,400 additional so long as the position is held by the present incumbent; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Irrigation and Reclamation—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Judiciary—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Library—clerk, \$3,900; two assistant clerks at \$2,400 each; assistant clerk, \$2,220; additional clerk, \$1,800. Manufactures—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Military Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Patents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900; assistant clerk, \$2,580; four assistant clerks at \$2,220 each. Post Offices and Post Roads—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,520; three assistant clerks at \$2,220 each; additional clerk, \$1,800. Printing—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Privileges and Elections—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Public Buildings and Grounds—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk, \$2,000; additional clerk, \$1,800. Public Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Rules—clerk, \$3,900 and \$200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Territories and Insular Affairs—clerk, \$3,900; assistant clerk, \$2,580; two assistant clerks at \$2,220 each; two assistant clerks at \$2,000 each; additional clerk, \$1,800; in all, \$512,540.

CLERICAL ASSISTANCE TO SENATORS

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein, as follows: Seventy clerks at \$3,900 each; seventy assistant clerks at \$2,400 each; and seventy assistant clerks at \$2,220 each; such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman; seventy additional clerks at \$1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, \$1,800; in all, \$724,200.

Ninety-six additional clerks at \$1,800 per annum each, one for each Senator, \$172,800.

Ninety-six additional clerks at \$1,800 per annum each, one for each Senator, \$172,800.

Twenty-eight additional clerks at \$1,500 per annum each, one for each Senator from each State which has a population of three million or more inhabitants, \$42,000.

For three additional clerks at \$1,500 per annum each for each Senator from any State which has a population of ten million or more inhabitants, \$9,000; for two additional clerks at \$1,500 per annum each for each Senator from any State which has a population of five million or more inhabitants but less than ten million, \$36,000, in all, \$45,000: *Provided*, That such additional clerks shall be in addition to any other clerical assistance to which Senators are entitled, and shall be employed only during the period of the emergency.

Senators and chairmen of standing committees may change the number of employees in their respective offices or committees, and may rearrange the schedule of basic salaries of such employees in multiples of \$5 per month: *Provided*, That such changes and rearrangements shall not increase the aggregate of the salaries provided for such offices or committees by law or Senate resolution: *Provided further*, That no salary shall be fixed under this paragraph at a rate in excess of \$4,500 per annum, and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$4,500 per annum: *Provided further*, That Senators and committee chairmen, before the day on which they are to become effective, shall certify in writing such changes or rearrangements to the disbursing office of the Senate which thereafter shall pay such employees in accordance with such certifications.

Notwithstanding the provisions of the third paragraph under the heading "Clerical assistance to Senators" of section 1 of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (2 U. S. C. 92a), in the case of the death of a Senator during his term of office, his clerical assistants on the pay roll of the Senate on the date of such death shall be continued on such pay roll at their respective salaries for a period of not to exceed sixty days: *Provided*, That any such clerical assistants continued on the pay roll shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and he is hereby authorized and directed to remove from such pay roll any such clerks who are not attending to the duties for which their services are continued: *Provided further*,

That this shall not apply to clerical assistants of standing committees of the Senate when their service otherwise would continue beyond such period.

In all, clerical assistance to Senators, \$1,156,800.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Salaries: Sergeant at Arms and Doorkeeper, \$8,000; two secretaries (one for the majority and one for the minority), at \$5,400 each and \$1,500 additional each so long as the respective positions are held by the present respective incumbents; two assistant secretaries (one for the majority and one for the minority), at \$1,320 each and \$480 additional each so long as the respective positions are held by the present respective incumbents; Deputy Sergeant at Arms and storekeeper, \$4,800 and \$1,000 additional so long as the position is held by the present incumbent; clerks—one \$3,300, one \$3,120, one \$2,200, one \$2,120, one \$1,800, one to the secretary for the majority, \$2,280 and \$120 additional so long as the position is held by the present incumbent, one to the secretary for the minority, \$2,280 and \$120 additional so long as the position is held by the present incumbent; assistant doorkeeper, \$2,880; messengers—three (acting as assistant doorkeepers) at \$2,400 each; one at \$1,740 and \$260 additional so long as the position is held by the present incumbent; twenty-nine (including four for minority) at \$1,740 each; four at \$1,620 each; one at card door, \$2,640, and \$240 additional so long as the position is held by the present incumbent; clerk on Journal work for Congressional Record to be selected by the Official Reporters, \$3,360; cabinetmakers—chief, \$2,780; one, \$2,300; one, \$2,040; finisher, \$2,300; upholsterer, \$2,040; janitor, \$2,400 and \$300 additional so long as the position is held by the present incumbent; five skilled laborers, \$1,680 each; laborer in charge of private passage, \$1,740 and \$120 additional so long as the position is held by the present incumbent; four female attendants in charge of ladies' retiring rooms, at \$1,500 each; three female attendants in charge of ladies' retiring rooms, Senate Office Building, at \$1,500 each; telephone operators—chief \$2,460 and \$280 additional so long as the position is held by the present incumbent; fourteen at \$1,620 each; laborer in charge of Senate toilet rooms in old library space, \$1,200; press gallery—superintendent, \$3,660; assistant superintendent, \$3,000; assistant superintendent, \$1,920; messengers for service to press correspondents—two at \$1,560 each, two at \$1,440 each; radio press gallery—superintendent, \$3,000; assistant superintendent, \$1,960; laborers—three at \$1,380 each, twenty-eight at \$1,260 each, three at \$480 each; special employees—seven at \$1,000 each; twenty-one pages for the Senate Chamber, at the rate of \$4 per day each, during the session, \$15,288; in all, \$274,028.

Police force for Senate Office Building under the Sergeant at Arms: Lieutenant, \$1,740; special officer, \$1,740; three sergeants at \$1,680 each; twenty-eight privates at \$1,620 each; in all, \$53,880.

POST OFFICE

Salaries: Postmaster, \$3,600; assistant postmaster, \$2,880; chief clerk, \$2,460; wagon master, \$2,280; twenty-six mail carriers, at \$1,740 each; in all, \$56,460.

FOLDING ROOM

Salaries: Foreman, \$2,460 and \$540 additional so long as the position is held by the present incumbent; clerk, \$2,280; clerk, \$1,740; folders—chief, \$2,040, fourteen at \$1,440 each; in all, \$29,220.

CONTINGENT EXPENSES OF THE SENATE

Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, \$4,000.

Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$69,750.

Furniture: For services in cleaning, repairing, and varnishing furniture, \$2,000.

Furniture: For materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, \$8,000.

Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, \$150,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Joint Committee on Internal Revenue Taxation: For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$35,500.

Folding documents: For folding speeches and pamphlets at a rate not exceeding \$1 per thousand, \$18,000.

For materials for folding, \$1,500.

Fuel, and so forth: For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,000.

Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law 709, Seventy-seventh Congress), \$35,000.

Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$8,760.

Miscellaneous items: For miscellaneous items, exclusive of labor, \$350,000.

Packing boxes: For packing boxes, \$970.

Postage stamps: For office of Secretary, \$350; office of Sergeant at Arms, \$150; in all, \$500.

Air-mail stamps: For air-mail stamps for Senators and the President of the Senate, as authorized by law, \$4,850.

Stationery: For stationery for Senators and for the President of the Senate, including \$7,500 for stationery for committees and offices of the Senate, \$26,900.

Rent: For rent of warehouse for storage of public documents, \$2,000.

HOUSE OF REPRESENTATIVES

SALARIES AND MILEAGE OF MEMBERS

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, \$4,385,000.

For mileage of Representatives, the Delegate from Hawaii and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, \$171,000.

For compensation of officers, clerks, messengers, and others:

OFFICE OF THE SPEAKER

Salaries: Secretary to the Speaker, \$4,620; three clerks to the Speaker, at \$2,400 each; messenger to Speaker, \$1,680; in all, \$13,500.

THE SPEAKER'S TABLE

Salaries: Parliamentarian \$5,000, and \$2,500 additional so long as the position is held by the present incumbent, and for preparing Digest of the Rules, \$1,000 per annum; Assistant Parliamentarian, \$3,000 and \$1,500 additional so long as the position is held by the present incumbent; messenger to Speaker's table, \$1,740 and \$660 additional so long as the position is held by the present incumbent; in all, \$15,400.

CHAPLAIN

Chaplain of the House of Representatives, \$1,680, and \$820 additional so long as the position is held by the present incumbent.

OFFICE OF THE CLERK

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$8,000; Journal clerk, two reading clerks, and tally clerk, at \$5,000 each; enrolling clerk, \$4,000; disbursing clerk, \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; file clerk, \$3,780; chief bill clerk, \$3,540; assistant enrolling clerk, \$3,900; assistant tally clerk, \$3,600; assistant reading clerk, \$3,600, to continue available under the limitations of House Resolution Numbered 241, adopted June 20, 1941; assistant to disbursing clerk, \$3,120; stationery clerk, \$2,880; librarian, \$2,760; assistant librarian and assistant file clerk, at \$2,520 each; assistant Journal clerk and assistant librarian, at \$2,460 each; clerks—one at \$2,460, four at \$2,340 each; bookkeeper and assistant in disbursing office, at \$2,160 each; assistant in disbursing office, \$1,800; three assistants to chief bill clerk at \$2,100 each; stenographer to the Clerk, \$2,500; assistant in stationery room, \$1,740; three messengers at \$1,680 each; stenographer to Journal clerk, \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each; telephone operators—assistant chief, \$1,800, twenty-three at \$1,620 each; substitute telephone operator, when required, at \$4 per day, \$1,464; property custodian and superintendent of furniture and repair shop,

who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, \$3,960; two assistant custodians at \$3,360 each; locksmith and typewriter repairer, \$1,860; messenger and clock repairer, \$1,740; operation, maintenance, and repair of motor vehicles, \$1,200; in all, \$182,144.

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors to the following committees: Accounts—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$5,000 and \$2,500 additional so long as the position is held by the present incumbent; assistant clerk, \$3,900 and \$1,100 additional so long as the position is held by the present incumbent; two assistant clerks at \$3,900 each and \$600 each additional so long as the respective positions are held by the present respective incumbents; assistant clerk, \$3,900; assistant clerk, \$3,300 and \$600 additional so long as the position is held by the present incumbent; additional clerical assistants at rates to be fixed by the chairman of the Committee on Appropriations, \$15,960; messenger, \$1,680; four clerk-stenographers at the annual rate of \$1,800 each, one for each subcommittee of the Committee on Appropriations having jurisdiction over a regular annual appropriation bill as shall be designated by the chairman of the Committee on Appropriations and to be appointed by the chairmen of the subcommittees so designated, subject to the approval of the chairman, \$7,200. Banking and Currency—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor, \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260. Claims—clerk, \$3,300; assistant clerk, \$2,460; assistant clerk, \$1,800; janitor, \$1,260. Coinage, Weights, and Measures—clerk, \$2,760; janitor, \$1,260. Disposition of Executive Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Education—clerk, \$2,760; janitor, \$1,260. Election of the President, Vice President, and Representatives in Congress—clerk, \$2,760. Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elections Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in the Executive Departments—clerk, \$3,300; janitor, \$1,260. Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Immigration and Naturalization—clerk, \$3,300; assistant clerk, \$2,400; janitor, \$1,260. Indian Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and Foreign Commerce—clerk, \$3,900; additional clerk, \$2,640; assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Reclamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—clerk, \$3,300; assistant clerk, \$2,880; expert examiner, \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980; janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor, \$1,260. Merchant Marine and Fisheries—clerk, \$2,760; assistant

clerk, \$1,740; janitor, \$1,260. Military Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Patents—clerk, \$2,760; janitor, \$1,260. Pensions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260. Post Office and Post Roads—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor, \$1,560. Public Buildings and Grounds—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk, \$2,100; clerk-stenographer, \$1,800; janitor, \$1,260. Territories—clerk, \$2,760; janitor, \$1,260. War Claims—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and Means—clerk, \$4,620; assistant clerk, \$3,000; assistant clerk and stenographer, \$2,640; assistant clerk, \$2,580; clerk for minority, \$3,180 and \$420 additional so long as the position is held by the present incumbent; janitors—one, \$1,560; two at \$1,260 each. World War Veterans' Legislation—clerk, \$3,300; assistant clerk, \$2,460; in all, \$337,600.

OFFICE OF SERGEANT AT ARMS

Salaries: Sergeant at Arms, \$3,000; Deputy Sergeant at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant cashier, \$4,000; two bookkeepers at \$3,360 each; Deputy Sergeant at Arms in charge of pairs, \$3,600; special assistant to Sergeant at Arms, \$2,400; pair clerk and messenger, \$2,820; stenographer, \$2,500; skilled laborer, \$1,380; hire of automobile, \$600; in all, \$41,200.

Police force, House Office Building, under the Sergeant at Arms: Lieutenant, \$1,740; three sergeants at \$1,680 each; thirty-five privates at \$1,620 each; in all, \$63,480.

OFFICE OF DOORKEEPER

Salaries: Doorkeeper, \$6,000; special employee, \$3,000; superintendent of House Press Gallery, \$3,660; assistants to the superintendent of the House Press Gallery—one at \$2,520, and \$300 additional so long as the position is held by the present incumbent, and one at \$2,400; House Radio Press Gallery—superintendent of radio room at \$2,700; messenger at \$1,560; chief janitor, \$2,700; messengers—one chief messenger, \$2,240, sixteen messengers at \$1,740 each, fourteen on soldiers' roll at \$1,740 each; laborers—seventeen at \$1,260 each, two (cloakroom) at \$1,380 each, one (cloakroom), \$1,260, and seven (cloakroom) at \$1,140 each; three female attendants in ladies' retiring rooms at \$1,680 each, attendant for the ladies' reception room, \$1,440; superintendent of folding room, \$3,180 and \$420 additional so long as the position is held by the present incumbent; foreman of folding room, \$2,640; chief clerk to superintendent of folding room, \$2,460; three clerks at \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one folders at \$1,440 each; shipping clerk, \$1,740; two drivers at \$1,380 each; two chief pages at \$1,980 each; two telephone

pages at \$1,680 each; two floor managers of telephones (one for the minority) at \$3,180 each and \$300 each additional so long as the respective positions are held by the respective present incumbents; two assistant floor managers in charge of telephones (one for the minority) at \$2,100 each; forty-seven pages during the session, including ten pages for duty at the entrances to the Hall of the House at \$4 per day each, \$34,216; superintendent of document room (Elmer A. Lewis), \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; assistant superintendent of document room, \$2,760; clerk, \$2,320; assistant clerk, \$2,160; eight assistants at \$1,860 each; janitor, \$1,440; messenger to press room (House Press Gallery), \$1,560; maintenance and repair of folding-room motortruck, \$500; in all, \$269,336.

SPECIAL AND MINORITY EMPLOYEES

For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931, as amended: Two at \$5,000 each, three at \$3,000 each; one at \$3,600 and \$300 additional while the position is held by the present incumbent (minority pair clerk, House Resolution Numbered 313 of August 7, 1935); in all, \$22,900.

Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, \$1,980; laborer, authorized and named in the resolution of April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time.

Office of Majority Floor Leader: Legislative clerk, \$3,110; clerk, \$2,530; additional clerk, \$2,000; two assistant clerks, at \$1,800 each; for official expenses of the Majority Leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, \$2,000; in all, \$13,240.

Conference minority: Clerk, \$3,180; legislative clerk, \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all, \$9,900. The foregoing employees to be appointed by the Minority Leader.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at \$1,740 each; in all, \$3,480.

POST OFFICE

Salaries: Postmaster, \$5,000; assistant postmaster, \$2,880; two registry and money-order clerks, at \$2,100 each; forty messengers (including one to superintend transportation of mails), at \$1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed \$145 per month each, \$1,740; laborer, \$1,260; in all, \$84,680.

Motor vehicles: For the purchase, exchange, maintenance, and repair of motor vehicles for carrying the mails, \$2,200.

OFFICIAL REPORTERS OF DEBATES

Salaries: Seven official reporters of the proceedings and debates of the House at \$7,500 each; clerk, \$4,000; assistant clerk, \$2,000; six expert transcribers at \$2,000 each; in all, \$70,500.

COMMITTEE STENOGRAPHERS

Salaries: Four stenographers to committees, at \$7,000 each and two stenographers to committees, at \$6,000 each; clerk, \$3,360; in all, \$43,360: *Provided*, That any sums received from the sale of copies of transcripts of hearings of committees reported by such stenographers shall be covered into the Treasury as "miscellaneous receipts".

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-two days from January 1 to June 30, 1944, inclusive.

CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, in accordance with the Act entitled "An Act to fix the compensation of officers and employees of the legislative branch of the Government", approved June 20, 1929, as amended by the Act of July 25, 1939, \$2,847,000.

CONTINGENT EXPENSES OF THE HOUSE

Furniture: For furniture and materials for repairs of the same, including not to exceed \$29,000 for labor, tools, and machinery for furniture repair shops, \$40,000.

Miscellaneous items: For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of \$27,500 for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Act 812, Seventy-sixth Congress), the reimbursement to the official stenographers to committees for the amounts actually paid out by them for transcribing hearings, and materials for folding, \$95,000.

Reporting hearings: For stenographic reports of hearings of committees other than special and select committees, \$30,000.

Special and select committees: For expenses of special and select committees authorized by the House, \$400,000.

Joint Committee on Internal Revenue Taxation: For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$35,500.

Funeral expenses: No part of the appropriations contained in this title for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office, and except the widow or minor children or both of the deceased, to attend the funeral rites and burial of any person who at

the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Telegraph and telephone: For telegraph and telephone service, exclusive of personal services, \$175,000.

Stationery: For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the second session of the Seventy-eighth Congress, and for stationery for the use of the committees and officers of the House (not to exceed \$5,000), \$92,600.

Attending physician's office: For medical supplies, equipment, and contingent expenses of the emergency room and for the attending physician and his assistants, including an allowance of \$1,500 to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629), and including an allowance of not to exceed \$30 per month each to four assistants as provided by the House resolutions adopted July 1, 1930, January 20, 1932, and November 18, 1940, \$6,985.

Postage stamps: Postmaster, \$200; Clerk, \$400; Sergeant at Arms, \$250; Doorkeeper, \$100; in all, \$950.

To enable the Clerk of the House to procure and furnish each Representative, Delegate, and the Resident Commissioner from Puerto Rico, United States air mail and special delivery postage stamps as authorized by law, \$21,900.

Folding documents: For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand or for the employment of personnel at a rate not to exceed \$4 per day per person, \$30,000, of which \$5,000 shall be available immediately.

Revision of laws: For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (1 U. S. C. 59), \$8,000, to be expended under the direction of the Committee on Revision of the Laws.

For preliminary work in connection with the preparation of a new edition of the United States Code, including the correction of errors as authorized by the Act approved March 2, 1929 (45 Stat. 1541), \$100,000, to be expended under the supervision of the Committee on Revision of the Laws.

Clerk's office, special assistance: For assistants in compiling lists of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House Rule III; for recording and filing statements of political committees and candidates for election to the House of Representatives pursuant to the Federal Corrupt Practices Act, 1925 (2 U. S. C. 241-256); and for such other assistance as the Clerk of the House may deem necessary and proper in the conduct of the business of his office, \$1,500: *Provided*, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

Speaker's automobile: For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, \$4,000.

CAPITOL POLICE

Salaries: Captain, \$2,700; three lieutenants, at \$1,740 each; special officer, \$1,740; three sergeants, at \$1,680 each; fifty-two privates, at \$1,620 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, \$58,940: *Provided*, That no part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police (including those for the Senate and House Office Buildings) who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided further*, That the Capitol Police Board is hereby authorized to detail police from the House and Senate Office Buildings for police duty on the Capitol Grounds.

General expenses: For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, contingent expenses, including \$25 per month for extra services performed by a member of such force for the Capitol Police Board, \$9,400.

Capitol Police Board: To enable the Capitol Police Board to provide additional protection during the present emergency for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, \$55,000. Such sum shall only be expended for payment for salaries and other expenses of personnel detailed from the Federal Bureau of Investigation, the Secret Service of the Treasury Department, and the Metropolitan Police of the District of Columbia, and the heads of such agencies and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and is authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detailed personnel shall be made to the Federal agency or the government of the District of Columbia, respectively, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail.

One-half of the foregoing amounts under "Capitol Police" shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

JOINT COMMITTEE ON PRINTING

Salaries: Clerk, \$4,000 and \$800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (44 U. S. C. 49), \$2,820; assistant clerk and stenographer, \$2,640; for expenses of compiling, preparing, and indexing the Congressional Directory, \$1,600; in all, \$11,860, one-half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

OFFICE OF LEGISLATIVE COUNSEL

Salaries and expenses: For salaries and expenses of maintenance of the Office of Legislative Counsel, as authorized by law, \$83,000, of which \$42,000 shall be disbursed by the Secretary of the Senate and \$41,000 by the Clerk of the House of Representatives.

STATEMENT OF APPROPRIATIONS

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the first session of the Seventy-eighth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, \$1,000, to be paid to the persons designated by the chairmen of such committees to do the work.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; \$61,100.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$750.

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; waterproof wearing apparel; personal and other services; cleaning and repairing works of art; maintenance and driving of motor-propelled passenger-carrying office vehicle; not exceeding \$300 for the purchase of technical and necessary reference books, periodicals, and city directory; not to exceed \$150 for expenses of attendance, when specifically

authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol; and the compensation of the position of supervising engineer shall be at the rate of \$6,000 per annum so long as the position is held by the person who was the incumbent thereof on May 15, 1941; \$291,000.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol Power Plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with section 3709 (41 U. S. C. 5) of the Revised Statutes, \$103,200.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, \$12,720.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway system connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the cars, track, and electrical equipment connected therewith, \$1,500.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; and for personal and other services, including four female attendants in charge of ladies' retiring rooms at \$1,500 each, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, \$306,955: *Provided*, That the unexpended balance on June 30, 1943, of the appropriation of \$7,300 for the maintenance of the Senate Office Building, contained in the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942, shall continue available for the same purposes until June 30, 1944.

House Office Buildings: For maintenance, including equipment, waterproof wearing apparel, miscellaneous items, and for all necessary services, \$390,200.

Capitol Power Plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant, \$765,600.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

The Government Printing Office and the Washington City Post Office shall reimburse the Capitol Power Plant for heat, light, and power whenever any such service is furnished during the fiscal year 1944, and the amounts so reimbursed shall be covered into the Treasury.

LIBRARY BUILDINGS AND GROUNDS

MECHANICAL AND STRUCTURAL MAINTENANCE

Salaries: For chief engineer and all personal services at rates of pay provided by law, \$98,300.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Buildings on Sundays and on holidays, at rates to be fixed by such Architect, \$7,300.

General repairs, and so forth: For necessary expenditures for the Library Buildings and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, waterproof wearing apparel, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such buildings and grounds, \$25,000.

BOTANIC GARDEN

Salaries: For personal services (including not exceeding \$3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), \$82,000; all under the direction of the Joint Committee on the Library.

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed \$25 for emergency medical supplies; disposition of waste; traveling expenses of the Director and his assistants not to exceed \$250; street-car fares not exceeding \$25; office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange of motor-trucks, and maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed \$100; repairs and improvements to Director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library, \$21,000.

No part of the appropriations contained in this title for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

LIBRARY OF CONGRESS

Salaries, Library, Proper: For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, and other personal services, including special and temporary services and extra special services of regular employees (not exceeding \$5,000) at rates to be fixed by the Librarian, \$1,459,900.

COPYRIGHT OFFICE

Salaries: For the Register of Copyrights, assistant register, and other personal services, \$294,100.

LEGISLATIVE REFERENCE SERVICE

Salaries: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, and including not to exceed \$5,700 for employees engaged on piece work and work by the day or hour at rates to be fixed by the Librarian, \$148,300: *Provided*, That not more than \$20,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

DISTRIBUTION OF CARD INDEXES

Salaries and expenses: For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$234,100.

INDEX TO STATE LEGISLATION

Salaries and expenses: To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed \$2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, \$37,760.

SUNDAY OPENING

Salaries: To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of

the Librarian, including the extra services of employees and the services of additional employees under the Librarian, at rates to be fixed by the Librarian, \$15,000.

UNION CATALOGUES

Salaries and expenses: To continue the development and maintenance of the Union Catalogues including personal services within and without the District of Columbia (and not to exceed \$700 for special and temporary services, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, \$51,700.

INCREASE OF THE LIBRARY OF CONGRESS

General increase of Library: For purchase of books, miscellaneous periodicals and newspapers, photo-copying supplies and photo-copying labor, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses not to exceed \$20,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, \$198,000, to continue available during the fiscal year 1945.

Increase of the law library: For the purchase of books and for legal periodicals for the law library, including payment for legal society publications and for freight, commissions, traveling expenses not to exceed \$2,500, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of lawbooks, and all other material for the increase of the law library, \$95,000, to continue available during the fiscal year 1945.

Books for the Supreme Court: For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, \$20,000.

BOOKS FOR ADULT BLIND

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (2 U. S. C. 135a), as amended, \$370,000, including not exceeding \$20,000 for personal services and not exceeding \$500 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian.

PRINTING AND BINDING

General printing and binding: For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of library books, and for the Library Buildings, \$270,000.

Printing the Catalogue of Title Entries of the Copyright Office: For the publication of the Catalogue of Title Entries of the Copyright Office and the decisions of the United States courts involving copyright, \$30 000.

Printing catalog cards: For the printing of catalog cards and of miscellaneous publications relating to the distribution of card indexes, \$260,000.

CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding \$500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, \$20 800.

For furniture, including the purchase of office and library equipment, apparatus, and labor-saving devices, \$16,000, to be expended under the direction of the Librarian of Congress.

For personal services, paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, \$26,700.

Security of collections: The unexpended balances of sums appropriated under this head in the First Deficiency Appropriation Act, 1942, to enable the Librarian to effect precautionary measures for the security of the collections of the Library of Congress, including the objects specified thereunder, are hereby reappropriated and made available for the fiscal year 1944.

LIBRARY BUILDINGS

Salaries: For the superintendent and other personal services, in accordance with the Classification Act of 1923, as amended, including special and temporary services and special services of regular employees in connection with the custody, care, and maintenance of the Library Buildings in the discretion of the Librarian (not exceeding \$750) at rates to be fixed by the Librarian, \$314,300.

For extra services of employees and additional employees under the Librarian to provide for the opening of the Library Buildings on Sundays and on holidays, at rates to be fixed by the Librarian, \$8,000, of which \$700 shall be available immediately.

For mail, delivery, including maintenance, operation, and repair of a motor-propelled passenger-carrying vehicle, telephone services, rubber boots, rubber coats, and other special clothing for employees, uniforms for guards and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in

connection with the custody and maintenance of the Library Buildings, \$16,600: *Provided*, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100.

LIBRARY OF CONGRESS TRUST FUND BOARD

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$100.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of section 205 of the Independent Offices Appropriation Act, 1944, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section 205 who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

GOVERNMENT PRINTING OFFICE

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles, for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed \$3,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage and advertising; directories, technical books, newspapers and magazines, and books of reference (not exceeding \$500); adding and numbering machines, time stamps, and other machines of similar character; rubber boots,

coats, and gloves; machinery (not exceeding \$300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding \$1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at \$3,480, one cataloger at \$3,180, two catalogers at \$2,460 each, and one cataloger at \$2,100); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, \$7,225,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations; the printing, binding, and distribution of the Federal Register in accordance with the Act approved July 26, 1935 (44 U. S. C. 301-317) (not exceeding \$400,000); for the printing and binding of a cumulative supplement to the Code of Federal Regulations as authorized by the Act approved December 10, 1942 (Public Law 796, Seventy-seventh Congress, not exceeding \$165,000; the printing and binding for use of the Government Printing Office; the printing and binding (not exceeding \$3,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding \$4,225,000: *Provided*, That not less than \$3,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1944: *Provided further*, That notwithstanding the provisions of section 73 of the Act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of \$4,225,000 shall be used for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Year-book of Agriculture).

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

During the fiscal year 1944 any executive department or independent establishment of the Government ordering printing and binding from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or

certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office for the year in which the work is done, and be subject to requisition by the Public Printer.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Salaries: For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees paid by the hour who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U. S. C. 40), \$852,500.

General expenses: For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, carfares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone, and telegraph service; traveling expenses (not to exceed \$200); repairs to buildings, elevators, and machinery; rental of equipment; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogs, and indexes; for supplying books to depository libraries: in all, \$345,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents: *Provided further*, That the Superintendent of Documents shall furnish, from the quota that was printed for sale, one complete set of Definitive Writings of George Washington to each Senator, Representative, Delegate, and Resident Commissioner, serving during the Seventy-eighth Congress, who makes written application therefor.

Purchases may be made from the foregoing appropriation under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

SEC. 102. In order to keep the expenditures for printing and binding for the fiscal year 1944 within or under the appropriations for such fiscal year, the heads of the various executive departments and

independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

SEC. 103. No part of the funds appropriated in this title shall be used for the maintenance or care of private vehicles.

SEC. 104. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is specifically appropriated for in this title or whenever the rate of compensation or designation of any position specifically appropriated for in this title is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, specifically appropriated for in this title, shall be the permanent law with respect thereto; and the authority for any position specifically established by such Act which is not specifically appropriated for in this title shall cease to exist.

SEC. 105. This title may be cited as the "Legislative Branch Appropriation Act, 1944".

TITLE II—THE JUDICIARY

UNITED STATES SUPREME COURT

Salaries: For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, \$484,200.

Preparation of rules for criminal proceedings: For all expenses of the Supreme Court of the United States to provide for expenses of such advisory committee as may be appointed by the Court to assist it in the preparation of rules of pleading, practice, and procedure with respect to criminal cases, pursuant to the Act entitled "An Act to give the Supreme Court of the United States authority to prescribe rules of pleading, practice, and procedure with respect to proceedings in criminal cases prior to and including verdict, or finding or plea of guilty", approved June 29, 1940 (54 Stat. 688), including personal services in the District of Columbia and elsewhere and printing and binding, to be expended as the Chief Justice in his discretion may direct, including such per diem allowances in lieu of actual expenses for subsistence at rates to be fixed by him not to exceed \$10 per day, \$30,000, of which amount not to exceed \$14,950 shall be immediately available.

The unexpended balance of the appropriation "Preparation of Rules for Civil Procedure, fiscal years 1942 and 1943", carried in the Sixth Supplemental National Defense Appropriation Act, 1942, is hereby reappropriated and made available for the fiscal year 1944.

Printing and binding: For printing and binding for the Supreme Court of the United States, \$26,000, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

Miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may approve, \$27,000.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U. S. C. 13a-13d), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances, special clothing for workmen; purchase of waterproof wearing apparel; and personal and other services, including temporary labor without reference to the Classification and Retirement Acts, as amended, and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes (41 U. S. C. 5, 16), \$68,000.

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

Repairs and improvements, District Court of the United States for the District of Columbia: For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$11,300, to be expended under the direction of the Architect of the Capitol.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$2,500, to be expended under the direction of the Architect of the Capitol.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries: Presiding judge and four associate judges and all other officers and employees of the court, \$107,060.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; drugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, \$3,000.

Printing and binding: For printing and binding, \$6,700.

UNITED STATES CUSTOMS COURT

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, \$236,500.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, \$13,500.

Printing and binding: For printing and binding, \$1,000.

COURT OF CLAIMS

Salaries: Chief justice and four judges, seven regular commissioners, and all other officers and employees of the court, \$208,000, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, traveling expenses, and other miscellaneous expenses, \$18,000.

Printing and binding: For printing and binding, \$23,500.

Repairs and improvements: For necessary repairs and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, \$2,550.

TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, \$103,500.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$3,222,500: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, \$2,570,280.

No part of any appropriation in this Act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or Lander, Wyoming; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Probation system, United States courts: For salaries of probation officers and their clerical assistants, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (18 U. S. C. 726), \$956,800: *Provided*, That the salary of no probation officer shall be less than \$1,800 per annum nor more than \$3,600 per annum: *Provided further*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts: *Provided further*, That no part of this appropriation shall be used to pay the salary or expenses of any probation officer who, in the judgment of the senior or presiding judge certified to the Attorney General, fails to carry out the official orders of the Attorney General with respect to supervising or furnishing information concerning any prisoner released conditionally or on parole from any Federal penal or correctional institution.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (18 U. S. C. 591), including fees and expenses of conciliation commissioners, United States courts, including the objects and subject to the conditions specified for such fees and expenses of conciliation commissioners in the Department of Justice Appropriation Act, 1937, \$350,000.

Fees of jurors: For mileage and per diems of jurors; meals and lodging for jurors in United States cases when ordered by the court. and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (31 Stat. 362), and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$1,680,000: *Provided*, That the compensation of jury commissioners for the District of Columbia shall conform to the provisions of title 18, chapter 10, section 341, of the Code of the District of Columbia, but such compensation shall not exceed \$250 each per annum.

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, \$1,087,800: *Provided*, That the compensation of secretaries and law clerks to circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of the secretaries, exclusive of temporary additional compensation, and exclusive of the differential allowed for higher living costs in the Panama Canal Zone, shall correspond with those of the assistant administrative grade (grade 7 of clerical, administrative and fiscal service): *Provided further*, That the annual basic compensation of the secretary to a circuit or district judge shall not (exclusive of temporary additional compensation) exceed \$3,200: *And provided further*, That the salaries of law clerks shall correspond with those of the assistant professional grade.

Miscellaneous expenses (other than salaries): For such miscellaneous expenses as may be authorized or approved by the Director of the Administrative Office of the United States Courts, for the United States courts and their officers, including rent of rooms for United States courts and judicial officers; supplies and equipment, including

the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; stenographic reporting services without regard to section 3709, Revised Statutes, provided that the rates of payment shall not exceed those fixed by the district court pursuant to Rule 80 (b) Federal Rules of Civil Procedure, in the jurisdiction of which the services are rendered; purchase of lawbooks, including the exchange thereof, for United States judges, and other judicial officers, including the libraries of the United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, \$391,000: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased hereunder to be marked plainly, "The Property of the United States": *Provided further*, That not to exceed \$2 per volume shall be paid for the current and future volumes of the United States Code, Annotated, and that the reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume.

Traveling expenses: For all necessary traveling expenses, not otherwise provided for, incurred by the Judiciary, including traveling expenses of probation officers and their clerks, and transfer of household goods and effects as provided by the Act of October 10, 1940, \$540,000: *Provided*, That this sum shall be available, in an amount not to exceed \$4,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts: *Provided further*, That United States probation officers may be allowed, in lieu of actual expenses of transportation, not to exceed 4 cents per mile for the use of their own automobiles for transportation when traveling on official business within the city limits of their official station.

Printing and binding: For printing and binding for the Administrative Office and Courts of the United States, \$89,000.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Salaries: For the Director of the Administrative Office of the United States Courts, the Assistant Director, and for other personal services in the District of Columbia and elsewhere, as may be necessary to enable the Director to carry into effect the provisions of the Act entitled "An Act to provide for the administration of the United States courts, and for other purposes", approved August 7, 1939 (53 Stat. 1223), \$243,800: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia, the Director shall fix compensation according to the Classification Act of 1923, as amended.

Miscellaneous expenses: For stationery, supplies, materials and equipment, freight, express, and drayage charges, washing towels, advertising, purchase of lawbooks and books of reference, periodicals and newspapers, communication service and postage; for the maintenance, repair, and operation of one motor-propelled delivery truck; for rent in the District of Columbia, and elsewhere; for official traveling expenses and other miscellaneous expenses not otherwise provided

for necessary to effectively carry out the provisions of the Act providing for the administration of the United States Courts, and for other purposes, \$24,000: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service for the Administrative Office of the United States Courts when the aggregate amount involved does not exceed the sum of \$50.

SEC. 202. As used in this title, the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the Chief Justice of the United States Court of Appeals for the District of Columbia; the term "circuit judge" includes associate justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

SEC. 203. No part of any appropriation contained in this title shall be used to pay in excess of \$2 per volume for the current and future volumes of the United States Code Annotated or in excess of \$3.25 per volume for the current or future volumes of the Lifetime Federal Digest.

SEC. 204. Terms of court at Greenwood, South Carolina: Section 105 of the Judicial Code, as amended, is amended by striking out the words "at Greenwood the first Mondays in February and November" in the third paragraph thereof, and inserting in lieu thereof the words "at Greenwood the second Mondays in May and December".

SEC. 205. This title may be cited as "The Judiciary Appropriation Act, 1944".

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of of any appropriation contained in this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

SEC. 302. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from this appropriation contained in this Act, shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 303. This Act may be cited as the "Legislative and Judiciary Appropriation Act, 1944".

Approved June 28, 1943.



